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◆ Reviews by James Fallows, Joseph Nocera, Nicholas Lemann, and James David Barber

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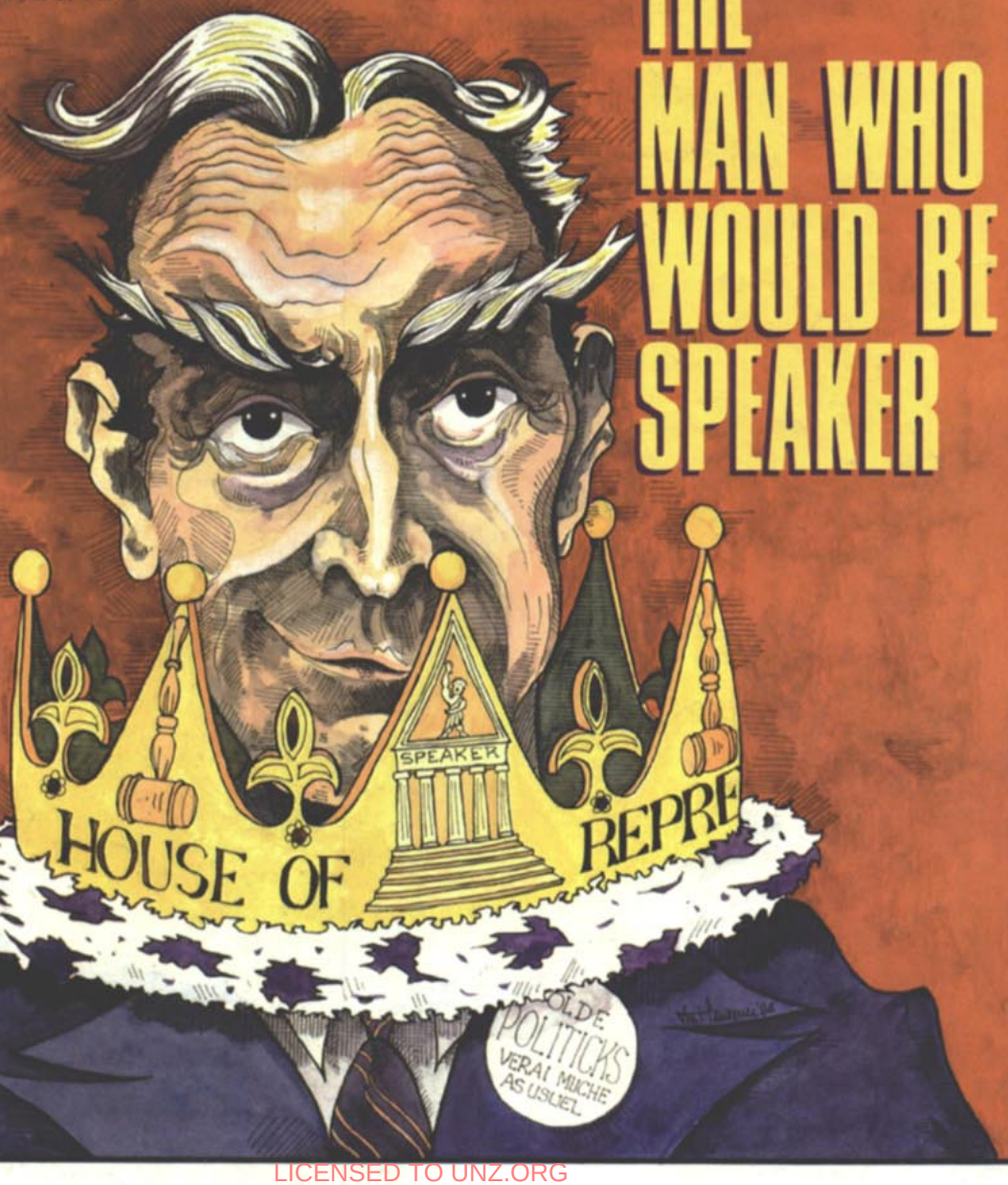

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LETTERS

Public TV timidity

I did not tell *Variety* that "A Walk Through the Twentieth Century" was less than it should have been. Nor did I say in regard to the series that "I should have been able to air controversial views. I wasn't." [Prime Time Pablum," S. L. Harrison, January]

I don't know how the reporter garbled the conversation, but he did. We talked a long time, and our discussion of both "A Walk Through the Twentieth Century" and "Creativity with Bill Moyers," also sponsored by Chevron, was entirely positive. I even told him that not once had anyone from Chevron intervened in any way with my work on those two series. No one even squawked when twice I dealt with the infamous Ludlow Massacre involving Chevron's predecessors. My experience with Chevron, in fact, was so totally opposite to what the quote suggests that I am utterly flabbergasted by it.

When the reporter stated his premise to me at the beginning of the telephone interview—that corporations were dictating the content of public television—I immediately said, "Wait a minute. You first have to acknowledge that corporations are responsible for some of the best programs on the air." And I mentioned some of them, from "National Geographic" to "Mystery" to "A Walk Through the Twentieth Century." The problem, I said, is not what gets on PBS but what doesn't, as corporations are reluctant to underwrite controversial programs, especially journalism, for reasons which are obvious. The only way to get such programs funded, I said, is through CPB or an independent program fund, as we proposed long ago at the White House when we established public television.

Later in the conversation we did talk about one series that I produced several years ago from which a corporate underwriter pulled out after several controversial programs were aired. I said something to the effect that "they didn't want me to be controversial, but I was." I can only assume that the reporter—this was very late in a lengthy interview—transposed that comment to the very early discussion of "A Walk Through the Twentieth Century" and Chevron. But I want to emphasize again for the sake of fairness that I did not say what I am quoted as saying. There was nothing in my experience with Chevron to justify my having done so. Some of "A Walk Through the Twentieth Century" and "Creativity" dealt with potentially controversial subjects and people, yet I never heard a peep from any of my contacts at Chevron. To the contrary, I was given total freedom to exercise my own professional judgment.

BILL MOYERS
New York, New York

The author replies:

Mr. Moyers has yet to contact *Variety* to deny the quote. Moreover, in the *Variety* article he did go on to say that a "corporate underwriter pulled out after several controversial programs," but does not go on to reveal who that underwriter was.

Mom and Pop capitalism

In "Tilting at Windmills" in December Charles Peters was much too enthusiastic about the benefits of working in a privately held company. Before I got my current job in a publicly owned Fortune 100 company in the computer industry, I worked for three small family-owned companies in the trade magazine publishing industry. The emphasis is on "family." Although I was not a member of the family in any of the three companies, I was expected to work as hard as the family members. (I did.) I was also expected to accept an absurdly low salary in each of the three companies. (I did that also.)

None of the companies had any interest in publishing high-quality magazines. The only—note "only," not "overriding"—concern was to make as much money as possible for the family. For example, one of the companies provided no health insurance for the employees.

Small family companies do provide a service for our economy, however. Because of their emphasis on keeping payroll costs down, they are willing to take a chance on promising but untrained workers who will work for low pay. This training is invaluable in giving many people a start in a career. And I do not question the statistics affirming that small companies create most of the jobs in our society. It's good the companies are out there creating the jobs. I'm just glad I don't have to work for them anymore.

VICKI MEAGHER
Mission Viejo, California

You say that by going private companies will improve our capitalist system in profound ways: "A privately held company is not subject to the same pressures to emphasize short-term gain and maximize profits that a publicly held company is." This may be true for the

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company built up from nothing by plowing back profits and with minimum debt. The present rash of buy-outs by managements to avoid takeover bids, however, is by means of massive debt. The new private owners' equity is negligible; the capital for the private buy-outs is provided by banks that issue so-called junk bonds secured only by the assets of the purchased company. Such bonds bear very high interest rates. The pressure on management to maximize profits will be increased, not diminished.

GEORGE GIBSON
Upper Montclair, New Jersey

See "Tilting at Windmills."

Pricing life

In his December article on how OMB runs EPA ["Who's Agency Is It Anyway?"], Jim Sibbison criticizes OMB's use of "cost-benefit analysis" for asbestos industry regulation. According to Sibbison, OMB assigned an arbitrary $1 million value for a human life, determined that the deaths in question were 40 years in the future, and discounted the $1 million at 10 percent for those 40 years, "leaving a human life worth a grand total of $22,094.93."

Sibbison's point is that cost-benefit analysis should not have been used. I disagree. The method itself is not wrong; the problem here is the discount rate. The long-term real interest rate has been 3 to 4 percent, not 10 percent. OMB may have confused real with nominal rates, which allow for inflation. But since OMB presumably expressed the value of a human life in constant (1985) dollars, they should have used the constant-dollar real interest rate of 3 to 4 percent. A 3.5 percent discount rate would have resulted in a present value of $252,572—11 times the value Sibbison reports was actually used. I suspect this would have made a considerable difference in the cost-benefit calculation. OMB seems to have taken to heart the old maxim: figures don't lie but liars figure.

Sibbison also says the value of a human life "had never been used by government before Reagan's arrival in the White House." At least 20 years ago it was in common use at the Pentagon, HEW, and the Transportation Department, which typically used values around $300,000 in 1965 dollars. Cost-benefit analysis in the federal government may well have begun when Secretary McNamara or his "best and brightest" assistants tried to use a quantitative procedure to assign priorities to military programs.

CHARLES CERF
Washington, D.C.

The case against fiction

I've frequently enjoyed and appreciated your insights, and those of your contributors, on matters of politics and public affairs. Now you've really hit the bull's-eye in another field: fiction! "Victims" in your October issue is a brilliant, on-target statement of the sorry state of modern "literature." In recent years I've been amazed and dismayed over the nihilist, pointless trash that passes for serious fiction. Sometimes I have to laugh out loud when reading reviews of new novels in *The New York Times Book Review.* "Victims" is the best send-up of the contemporary novel of malaise since Jonathan Yardley's review, in mock-Didion prose, of her godawful *Democracy*.

STEVE HOFFMAN
Washington, D.C.

Kafka in the Levant

I have been meaning to write to lend my support for Charles Peters's comments regarding the Palestinian issue in the December "Tilting at Windmills." I spent about a month in the West Bank and Gaza last summer meeting with quite a number of Palestinian media, educational, and political leaders. The occupation of the West Bank and Gaza is not the conflict of the Jew versus the Arab, and certainly not the Jew versus the Moslem (a large number of Palestinians, particularly on the West Bank, are Christian, as was the murdererd ADC leader Alex Odeh). The driving mechanism of that occupation is, instead, I think, the conflict of the Eastern European bureaucracy—the bureaucracy of Franz Kafka—versus the traditional patron-client system of the Levant. That bureaucracy was the unintentional gift of Zionism to Palestine, and whether it is the relatively benign socialism of Labor or the Prussian authoritarianism of Menachim Begin and Likud, it is bureaucratic without reprieve.

Since the departure of the Crusaders—with the temporary exception of the bumbling inefficiency and *noblesse oblige* of the British mandate—Palestine had been ruled to Arab standards. Then, literally overnight in 1967, the familiar system was replaced by one with totally alien norms, alien (and inaccessible) political structures, and alien laws. The root of those laws was in the northern Europe of the industrial revolution, suddenly imposed on the largely agrarian, village-oriented society of the West Bank and Gaza.

What is ironic is that the Palestinians and the Israelis each hold what the other desires, and I came away with the distinct impression that neither side quite realizes what it holds. The Palestinians want, of course, land and self-determination, and in the near term only Israel could give that, and certainly it is Israel that must relinquish Gaza, Ramalla, Nablus, Hebron, East Jerusalem, Jericho, and Bethlehem—towns as purely Palestinian today as they were a generation ago when Israeli tanks first rolled into them.

But at the same time it is only the Palestinians that can give Israel the legitimacy that, ultimately, Israel must have to survive as 2.5 million Jews surrounded by 80 million Arab Moslems and Christians and amid a Western civilization that still harbors apallingly much anti-Jewish sentiment in high places. In 1948 a million Palestinians were driven from their homes, their villages, their fields and orchards to provide the Jewish survivors of the Holocaust a refuge. Thus in one of

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the greater ironies of world history, the Palestinians were made to pay the debt of the Nazis. This was an injustice, one of many injustices of a cruel world, and an injustice that many Palestinians are now prepared to forgive (forgive, not seek the reversal of) if the Israelis will finally allow them a similar country of refuge.

PHILIP A. SCHRODT
Evanston, Illinois

Learning about AIDS

There is much to commend Steven Waldman's article, "The Other AIDS Crisis" [January]. It focuses attention on the inadequacies in our health care system, specifically in response to the AIDS epidemic. It does, however, gloss over the paucity of federal funds that have been allocated to public health education. Durding fiscal years 1984 and 1985, less than four percent of all U.S. Public Health Service AIDS funds was appropriated for this purpose. In lieu of a vaccine that may be years away, public education is probably the most effective means to slow the spread of the epidemic.

On a more personal level, I take offense at the remarks attributed to me regarding the mayor of New York's sexual preference. Not only was this topic not discussed with me but its inclusion in the article is irrelevant and sensationalistic. Your readers would certainly be better served had Mr. Waldman confined himself to the available facts rather than idle rumors and gossip.

PETER S. ARNO
San Francisco, California

The author replies:

The full quote was: "Ed Koch didn't want to be associated with the gay plague." Arno was referring to a smear campaign against Koch during two prior campaigns. I did not mean to imply that Arno believes the rumors are true, only that Koch's sensitivity to them may explain the city's slow response to the AIDS problem.

Tokenism is better than nothing

Your January "Tidbits and Outrages" column reports under the sardonic headline "Reagan Closes the Gender Gap" the newly exalted titles of two female members of the White House staff. Tokenism is insulting, but at least it represents the admission that a problem exists. I am sure I am not alone among your readers in wishing that *The Washington Monthly* was equally aware of its own deficits in this regard. In the same issue, all 13 bylines are male. Just one of the 28 editors, contributing editors, and editorial advisory board members listed on your masthead is a woman. Your masthead does suggest, however, that you rely heavily on women for lesser, unpaid editorial chores.

It looks to me as if a woman stands a better chance of getting on the White House staff than into the pages of *The Washington Monthly.*

RACHEL DOWNS
Washington, D.C.

Don't grind on me

I am sitting in my office on Christmas day crafting what I hope will be effective letters of recommendation. An associate recently mailed me a copy of the article, "The Recommendation Racket: Who Do We Think We're Kidding?" [November], in which I am quoted as having said that the writing of recommendations is a "game." The author of the piece, Paul Barrett, has implied that my Christmas will be spent in the creation of an artifice by which to "snooker" a college admissions officer. I'm not trying to "snooker" anyone. I am trying to present some sense of the individuality of the students I advise, many of whom are applying to highly competitive colleges. I am trying to give my colleagues in admissions more to consider than grades and scores. There is skill in writing evocatively and effectively and some competition among college guidance people in the placement of graduates. We take the time to write carefully about our advisees because we believe that our observations will be taken seriously. It is not an easy thing to present an objective picture of a 17-year-old in the midst

YOU CAN HELP

Sometimes it's easy to forget how much *The Washington Monthly* depends on its readers. Our Memos of the Month come almost entirely from you. Clippings from readers' local papers inspire many of the items in Tidbits and Outrages and Tilting at Windmills. Readers help us in countless other ways, calling with tips for stories, giving their friends subscriptions, or just making sure we're on the shelves of their local newsstands, bookstores, and libraries.

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of reinventing himself daily. Mr. Barrett had an axe to grind; he believes that recommendations are fraudulent, evasive, useless. I stand behind the students I recommend. My school's credibility and reputation with an admissions office are on the line every time I sign a letter of recommendation. There just is not any room for "snookering" in the process.

PEDRO L. ARANGO
Grosse Pointe Woods, Michigan

Hicks nix

As a security analyst, I read with much interest the excerpts quoted ["Tilting at Windmills] from the December 1 *New York Times Magazine* in reference to Hicks Waldron, the CEO of Avon. In addition to the priceless quotations from Mr. Waldron that you included, your readers may be interested in the following dialogues between Mr. Waldron and N. R. Kleinfield of the *Times*: Mr. Kleinfield asked Waldron if it is fair to say that he does everything he can to avoid releasing numbers that are below plan. Waldron's incredible response was, "Do everything is an understatement. 'Kill' is the word. You have to have the killer instinct for the bottom line."

Waldron is serious, because for a number of years Avon has been paying out most of its share earnings in the form of the company's $2 per share annual dividend. Any falloff in present numbers would place Avon's dividend, which I deem to be an outrageous payout, in severe jeopardy.

THORNTON L. O'GLOVE
Englewood Cliffs, New Jersey

Risk and retirement

Charles Peters frequently inveighs against the military retirement system. I've got a data point for him:

In 1981, two Navy F-14s smoked a pair of Libyan aircraft in self-defense. Captain (then Commander) Hank Kleeman was flying one of the F-14s. He was eligible for retirement under the system you say should be scaled back. Hank's not going to draw any retirement pay. He was killed in an F/A-18 crash in California last November. Servicemen aren't the same as postal clerks.

JOHN L. BYRON
Arlington, Virginia

See "Tilting at Windmills."

Correction

In the January "Tidbits and Outrages" we featured a brochure on a Hawaii "Stress Break" for lawyers. For good reproduction, we reset some of the type, and we made an error. We showed one of the sponsors of the "Stress Break" as the Virginia Trial Lawyers Association. It was in fact the West Virginia Trial Lawyers Association.

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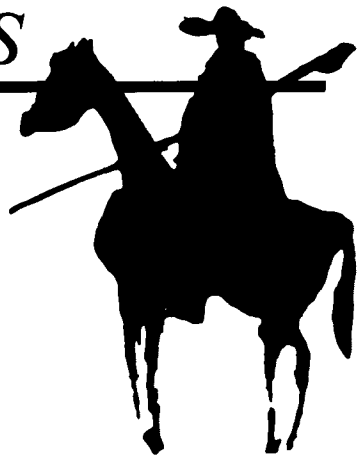
TILTING AT WINDMILLS



Recent landmarks in the annals of American snobbery include Norris Church Mailer's revelation that when the great author asked her to come to New York with him, he said, "Don't bring any of your Arkansas polyester clothes," and Mona Molarsky's confession in *The Nation* that having visited North Plainfield, New Jersey, "I'll probably never watch ballet, listen to Mahler, or read Wallace Stevens in quite the same way again." But my favorite came from Wolcott Gibbs, Jr., of *The New Yorker*, who defended the magazine's failure to list a Yiddish play in its Goings On section by saying that "most of our readers are people who speak English."

Does this mean, as the *Village Voice*'s Geoffrey Stokes has suggested, that *The New Yorker* will now banish from its columns all references to foreign language films as well as practically the entire repertoire of the Metropolitan Opera?

In a not-unrelated development, a reporter for *The Washington Post* found 200 people waiting in line one morning for the doors to open to the National Gallery of Art's Treasure Houses of Britain exhibit. What was noteworthy about that morning was that the temperature was 11 degrees.

Now I am perfectly willing to concede that among those 200 freezing souls, some were moved totally by a love of the works of art they were waiting to see. But I would venture to say that more than a handful were motivated by something more like snobbery—an identification with upper-class Brits or the sense that the exhibit was the "in" thing of the moment in Washington and that they would prove their taste and with-it-ness by being there.

To the extent that the latter is the motive, it represents a tremendous change in America. I can recall on a similarly freezing winter day attending the great 1947 Turner exhibition at the Metropolitan Museum in New York, surely one of the most important of that decade, and being struck by the fact that I was almost alone in that vast building. My motives weren't pure, either. While I admired Turner above all other painters, I was certainly not immune at that time to the high desirability of being "in," or "hip," as it was called in the slang of the time. The significant thing, then, about this story is not that I was pure but how few others shared my snobbery. Today the place would be mobbed....

Do you oppose my support for the draft yet agree with me that it is wrong for the rich to escape service to their country? If so, William F. Buckley has the answer. His proposal is that the presidents of Harvard, Yale, and the other 10 or 20 elite institutions of higher learning join together in announcing

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that their schools will not accept applicants who have not served. It's really a delicious idea. I look forward to hearing the arguments against it that the privileged classes will concoct. Because they have opposed national service on the grounds of the compulsion that would be involved, and because Buckley's proposal involves no compulsion, their task will not be easy. But I have great faith in their selfishness. They'll come up with something....

Speaking of our institutions of higher learning, hundreds of millions of dollars awarded by the government for scientific research are being siphoned off by universities for unrelated expenses, according to a report by the inspector general of the Department of Health and Human Services that went unpublished until it was recently discovered by *The Washington Times*.

When I was director of evaluation for the Peace Corps in the 1960s, I repeatedly found that colleges and universities, including the most prestigious in the land, that were training Peace Corps volunteers, had tacked on outrageous "administrative overhead" costs to our training contracts. When asked to specify just what those charges covered, the characteristic reaction was how could we be so vulgar as to ask....

Ranchers who graze their cattle on public land pay $1.35 per cow per month against an average of $6.67 per month for grazing rights on private land. When reformers try to eliminate this subsidy, they are confronted with the argument that, when the rancher bought his property, he paid more than he ordinarily would have paid because the property carried a grazing permit with it.

This is what I have come to call the Medallion Ploy, in honor of the New York cab drivers who have raised it to a high art form. The medallion is the license to operate a cab in New York City. Their number has been frozen at 11,787 for about half a century. That is grossly inadequate, as anyone who has tried to hail a cab in Manhattan during rush hour knows.

How then can the cab owners defend the current practice? Because their permits, like those of the ranchers, have risen in value to the point where, in the case of the cab, they are now selling for around $100,000 each. So the cabbie argues that he will lose his investment if the public allows more cabs on the street.

The Medallion Ploy also is used by radio and television licensees. Here again licenses granted by the public have grown enormously in value. A Los Angeles radio station purchased for $800,000 in 1952 is said by the *Los Angeles Times* to be "worth at least 50 times that today." Television stations are being sold for prices in the hundreds of millions.

Again, these are for rights conferred by the public—rights, like those of the rancher to use the grazing land or of the cab driver to cruise the city streets—that are granted at little or no cost to the original recipient. Why should that recipient, not the public, grow rich from these rights? Why should his or his successor's interest now prevail over the public's? How can the public obtain justice now without doing injustice to the licensees?

This is a question to challenge our great legal minds, to redeem their souls from the demeaning triviality of their daily work in behalf of the rich and powerful. I once had a colleague in the West Virginia legislature, J. C. Cruickshank, from Clay County, who defined the skills of a clever lawyer who was always finding some obscure flaw in J. C.'s proposals:

"He could find a fly speck in the pepper in the middle of the night."

Members of the bar, now is the time to put that skill to good use. Find the answer to the Medallion Ploy and you will receive *The Washington Monthly*'s First Annual Redeemed Lawyer Award....

You may have gathered from Ken Weiss's article on appraisals in last month's issue that the institutions charged with regulating our banking system leave something to be desired. If you were left in doubt, consider the case of Lynn Maree, who was able to buy the Ranchlander National Bank in Melvin, Texas, with the help of her boyfriend, who used post-dated checks to buy two $1,000 certificates of deposit that he then altered to read $100,000 each and used as collateral for a $200,000 loan. Her only previous job had been as a

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$625-a-month secretary....

I wonder how the civil libertarian opponents of drug testing feel about suspected addicts who work at nuclear plants. Do they want a space cadet at the controls of a Three Mile Island or a Diablo Canyon? As a matter of fact, drug use has actually been reported at the latter facility—and not by just one employee—but by 30....

If counting the number of modern buildings you admire does not exhaust the digital computer equipment with which nature endowed you, I suggest, the next time you come to Washington, you take the subway to the Dupont Circle stop, exit at Q Street, walk a block and a half north along the east side of Connecticut Avenue, and then turn and look across the street at 1718. It is the building with the clock tower. A modern building with a clock tower! Right. I love it. If you don't like it, you're at our door—we're at 1711—and are welcome to come upstairs and berate me for my tastelessness....

I share Jason DeParle's concern about the death penalty (see page 12). Most murderers are too young, too stupid, or too crazy—at least at the moment of the crime—to be deterred by the fear of their own death as punishment. But some criminals are smart, sane, and mature.

This was true of roughly 20 percent of those I represented while I was practicing law. They are capable of being deterred, but only if they think it is probable that they will be arrested and convicted and that their punishment will be severe. For those who prefer life, even in prison, over death, it seems clear to me that the death penalty could be a deterrent. The catch is that they know the criminal law enforcement system is so inefficient that their arrest and conviction is almost never a probability.

This is why I think those who want to be tough on crime should stop wasting their time arguing for the death penalty. Their first priority should be to improve the law enforcement system to the point where conviction is the probable result of any serious crime....

I'm a lunatic Redskins fan, but even I am embarrassed by some of the hypocrisy of pro football. For example, coaches conceal from themselves the fact that they send injured players out to play even though they are exposing the players to the risk of more serious, even disabling, injury. Joe Gibbs, the Redskins' coach, handles the problem by referring to the players not as injured but as "nicked."

"We've got a bunch of guys who are nicked," he'll say, referring to men who can barely walk and are certain to require post-season surgery, "but we expect them all to be ready to play next Sunday."...

I very much doubt that the average American knew that the Challenger's solid-fuel booster rockets were partly composed of used parts that had survived the blast-off ditching in the ocean during previous flights. I doubt that even the crew knew that on November 8 an accident had occurred to the booster in which a sharp, crackling noise was heard. And I can't believe that they would have boarded the shuttle for their fatal flight if they had known that a NASA report of the November accident would conclude that workers at the site were inexperienced and unmotivated and had been using faulty equipment. The report said of the workers:

"The general attitude was one of 'I was doing something else at the time'; 'I only look at what I have responsibility for'; and 'that's not part of my job.' "...

The National Capital YMCA is what its members like to call "the country club of Ys." Typical membership dues for use of the luxurious facility, located at 17th and Rhode Island Avenue, are $700 a year. The attitude of "let's help that poor kid from the ghetto learn how to swim" that one has associated with Ys in the past is not exactly omnipresent at the National Capital branch. "Membership interest," says the director, Herman Cohn, "has been very low in youth activities, in the food for the hungry drive we have at Christmas." But now at last the members have found an issue that excites them. In fact it produced an "Uproar at the YMCA" headline in *The Washington Post.* It seems that someone has dared to propose taking in more people. But the membership, protesting the danger of overcrowding in the pool, has risen as one to

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oppose this outrageous proposal....

You may recall that the plane involved in the Newfoundland crash that took the lives of 285 American soldiers was operated by an organization called Arrow Air. In March 1984, Arrow Air had been inspected by the FAA. Among the findings:

"Arrow operates its fleet with many deferred maintenance items...carried for months without corrective action.

"The Miami-based tool crib was found to be in shambles.

"The General Maintenance Manual, which covers the subject of maintenance training, was completely inadequate.

"Interviews with Arrow management indicated that they do not have a corrosion prevention program."

So the FAA knew something was wrong with Arrow Air. But did it tell the Army? Of course not. In this case bureaucratic inertia triumphed even over a regulation that specifically required the FAA to notify the Military Airlift Command of safety problems with commercial aircraft chartered by the military, even over a plea from an Arrow pilot to the FAA to "please, please hone in on Arrow to stop current company maintenance practices before an accident occurs."...

When DIVAD, or Sgt. York, as it is also called, was canceled by Caspar Weinberger, I waited for someone to credit my colleague, Gregg Easterbrook, with writing the article that first revealed the weapon's weaknesses. The credit never came.

As oil prices went downward, I waited for someone to credit Easterbrook for writing "Pssst, the Energy Crisis Is Over," not this year, not last year, but in 1980. He was right; he was first. But the credit never came.

In 1980, Easterbrook also wrote an article warning of the danger of the space shuttle. Among other things it said about the fate of the crew:

"Here's the plan. Suppose one of the solid fuel boosters fails. The plan is, you die."

In all the reams of copy about the accident, I have yet to see a single acknowledgement of this article. The truth he told was painful. People didn't want to face it then. And I guess they now don't want to face the fact that they were warned.

After all, his article was not some internal government report hidden from everyone but NASA employees so that the rest of us could excuse ourselves for not knowing about it. It was published in this magazine, where it could be read by journalists, congressmen, and White House staff members, people who should have been alarmed enough about it to pursue inquiries of their own about the shuttle's safety. Had they done so, seven lives might have been saved....

Don't Say Anything Bad About the Good Guys is one of the fundamental principles that guide American liberals. They argue that if, for example, you say one union is corrupt you will give ammunition to the enemies of all unions. Another recent example of Don't Say Anything Bad About the Good Guys came from the reaction of some black liberals to Bill Moyers' television special on the black family. They argued that Moyers shouldn't have shown Timothy, a young black male, bragging about the girls he had made pregnant and not caring about supporting their children. Moyers, the argument goes, lends aid and comfort to the Reaganites and to those who hate blacks when he reveals such unpleasant facts. But if we don't face the facts, however unpleasant, how can we have government programs that are based on reality?

In this case I think the solution will not come exclusively from either conventional conservative or liberal prescriptions. I think we need a change in Timothy's attitudes, as the conservatives contend. But I also think we need for him to have a job. And the liberals are right here—there just aren't nearly enough jobs available now for male black teenagers, even those who have the best attitude in the world....

For many years I have contended that Never Leave the Cities Where the Good Bars Are is the guiding principle of life in the foreign service and the CIA. It also is widely honored by American journalists abroad. The recent election in the Philippines, for example, seems to have been covered from the Manila Hotel. At

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the Manila, writes Tom Breen of *The Washington Times*:

"Americans are treated to luxury rooms with four-poster beds and color TV sets as well as restaurants that serve choice cuts of American beef."

As one observer commented to Breen:

"They may all have good reason to be here but let's face it: it's a vacation for a lot of them. They can tell the folks back home they're roughing it in the Philippines and eat prime rib at the Manila Hotel."

The choicest item about the hardship the press endured unfortunately got buried in a long story in *The Washington Post*. It was that CBS had a "huge eighteenth-floor suite" at the Manila "with a private indoor swimming pool."...

"Servicemen aren't the same as postal clerks," writes John Byron (see "Letters"). This point is often made by those who support the present military system that permits retirement after only 20 years' service. But the fact is that most of those who retire are clerks—or, to be more precise, roughly 90 percent are performing administrative or support functions at the time of their retirement and are not in combat roles. Most of them should retire at the same age as civilians. (I agree with the Reagan administration's proposal to increase the civilian retirement age from 55 to 62.) I do think, however, that time spent in combat roles should be deducted from that age. So a man who has put in 15 years as, say, a fighter pilot, would be permitted to retire at 47. But the fellow who has spent his entire career in a swivel chair should not be permitted to profit from our desire to reward the man who put his life at risk....

I agree with the letter writer in this issue who contends that privately held companies can be just as bad as publicly held ones. My point is that they have a choice—they *can* be better. Let me illustrate with a quote from an investment analyst explaining why the *Louisville Courier-Journal* could make more profit than it is now yielding:

"Family-owned businesses are not as aggressive in rate-setting or in cost-cutting as publicly-owned companies."

In other words, while Wall

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Street presses the publicly-owned company to maximize short-term profits, the family-owned enterprise is freer to reward its employees with generous compensation and doesn't have to gouge its customers with the highest possible prices. It is also freer to institute environmental and safety reforms not required by law and to forego short-term profit to attain long-term growth....

Back to the Moyers show for a moment. Is there anything other than changing values and providing jobs that can help? One approach that has worked is providing contraceptives. In St. Paul, Minnesota, high schools, that simple step reduced pregancies by more than 50 per cent. Another idea that's worth trying is to go into junior high and high schools in areas where there is a high teen pregnancy rate and offer a reward of $5,000 each to every unmarried girl from a family with an annual income of less, say, than $10,000 who reaches 21 without having become pregnant. This would cost a lot less than welfare and has the virtue of certainty, which I think is just as important in rewarding virtue as it is in punishing crime....

In what might be called a corollary of Don't Say Anything Bad About The Good Guys, liberal friends tell me I shouldn't say the Sandinistas are communists because it will encourage the Reaganites to aid the contras. Let me make clear that, while I don't like the Sandinistas, I don't like the contras either. They are no improvement. In fact they're probably worse. So I think the adminsitration is wrong to help them.

In carrying out its anti-Sandinista mission the adminstration is also up to no good in Honduras. The CIA played a decisive role in the removal of General Walter Lopes Reyes from his post as commander of the Honduran armed forces. The CIA, according to a dispatch from Reuters, the British news service, "backed a group of right-wing officers who pressured him into resigning and sought to isolate a group of junior officers who wanted Honduras to take a more independent line from the United States." The administration has been using Honduras as a colonial launching pad for contra attacks on Nicaragua and was outraged that the Hondurans would object....

The best thing I've seen written about the future of the shuttle was by Fred Reed in *The Washington Times*:

"What, looked at with hard eyes, do we get from the shuttle? I follow the program reasonably carefully, and just don't see much point in it. We have retrieved a few satellites, yes. Divide the number of retrievals, and the cost exceeds the benefit by a large margin. The shuttle was a heck of a parlor trick the first time, but now amounts to sending a dangerous bus to a remote town with no population.

"The scientific action now is in unmanned stuff—the news from Uranus, the Space Telescope if the shuttle's problems don't delay it to death, Galileo, and the like. With the same money we spend on the shuttle, and modern circuitry, amazing things could be done.

"As for factories in space—often given as a reason for having the shuttle—we'll never see it. The costs and difficulties are so great that it is cheaper to find substitutes on earth for whatever we thought we had to make in orbit. Notice that there has been little interest in the shuttle from business.

"Our investment in the shuttle is huge. Lots of jobs ride on it. Important people have staked their careers and prestige on it. Such investments perpetuate themselves: Soon you find yourself committed to a space station because you need some use for the shuttle. And the whole enterprise of exploration becomes warped to the needs of a machine. That's a high price."...

I am a guaranteed, sure-fire patsy for Ronald Reagan when he is acting as our king or ceremonial leader. At the ceremonies honoring the Challenger crew and the soldiers killed in the New Foundland plane crash, he had the tears flowing down my cheeks. But then came the press conference, where despite all-day briefings by his staff, he indicated that both sides were equally corrupt in the Philippine election. The ignorance of the man! It is scandalous that we have a president so ill-informed that he can make an error like that or, to cite another equally shocking example, can call the contras "freedom fighters."...

—*Charles Peters*

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EXECUTIONS AREN'T NEWS

Why They Should Be

by Jason DeParle

When Louisiana held its first execution in 22 years, there was a line to get in. More than a hundred reporters from across the country trekked to the remote state penitentiary on December 14, 1983, the night Robert Wayne Williams died in the electric chair. The national television networks were there. *The New York Times* was there. Photographers competed for portraits of grief as the condemned man's mother prayed outside the prison gates. Television cameramen lined the road as Williams's hearse crept from the death house, its red emergency light circling in the darkness.

Thirteen months later, Louisiana had executed more people per capita than any state since executions resumed in 1977. But by then most everyone had lost interest. In January 1985, when David Dene Martin became the seventh man to die in Louisiana's resurrected electric chair, even the newspaper in the town where he committed his four murders failed to send a reporter. Before the first execution, dozens of reporters vied in a lottery to be one of three press witnesses allowed in the execution chamber. For the seventh, I was drafted as a witness late in the day, when one of the reporters originally selected decided the trip wasn't worth the trouble. In that judgment, he is not alone. A recent Gallup poll showed 75 percent of the public supporting executions. For most news agencies, the death penalty is no longer much of a story. "There's no interest," a television news director told *The Miami Herald* last year. "The only interest would be if they pull the switch and the guy lives. If he dies, it isn't news."

Interest in capital punishment is fading just as the business of execution is about to boom. In the first six years that followed the U.S. Supreme Court's approval of new capital punishment laws in 1976, only six people were executed—four of them with their own consent. But since the beginning of 1983, executions have proceeded at a rate of about one every three weeks. And that pace promises to accelerate. More and more people are further along in their appeals. And since 1983, the federal courts have been setting policies making it easier for prosecutors to pursue death sentences.

Currently, the Supreme Court is considering a major death penalty case involving charges that the jury selection process is unfair. And in another case, attorneys have asked the Court to consider evidence suggesting racial discrimination in capital sentencing. If the Court resolves those cases in favor of the prosecution, as most legal scholars predict, it will remove the last major legal hope for many of the nation's 1,500 inmates on death row. Within several years we may be witnessing a pace of executions in the United States unequaled since the 1950s, a pace attorneys thought unimaginable as recently as a decade ago.

In the past two years, I've covered all seven Louisiana executions and witnessed one. I've interviewed about a third of the men on Louisiana's death row, including four who are now dead, and

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Photo: Lionel Cottier/Times Picayune

Kelton Willie and John Kelton Willie Jr., grandfather and father of Robert Lee Willie, who was executed December 28, 1984.

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I've talked at length to their families and to the families of their victims. In addition, I've covered about a dozen murder trials and interviewed dozens of police officers, prosecutors, defense attorneys, judges, legislators, and prison guards. In doing so, I've had a number of experiences that have fueled what was for me an instinctive opposition to capital punishment—and a few that have challenged that opposition. These experiences, described below, are the kind that won't be getting much attention as executions become an accepted part of American life.

No solutions

On January 5, 1979, Robert Wayne Williams killed a 67-year-old security guard with a shotgun blast to the face. Both men were black. It was Williams's first violent crime. At age 27, Williams was an eleventh-grade dropout whose life had begun to unravel: he was fighting an addiction to heroin, had lost his job, and was in a troubled marriage to a 17-year-old wife. She found him that night at a party, drunk and stoned, and told him to get in the car with her and her uncle, Ralph Holmes. They handed him a sawed-off shotgun and told him they were planning to rob an A&P grocery store they had previously cased.

Williams's wife waited in the car and he and Ralph Holmes entered the store shortly before midnight, their faces covered by ski masks. A dozen late-night shoppers fled to the rear of the store or crouched in the aisles as Williams held the shotgun on security guard Willie Kelly while Holmes attempted to remove Kelly's pistol. When the guard moved his hand toward his gun, apparently to help unbuckle the strap, Williams screamed, "Don't do it!" The shotgun went off, and Kelly slumped face down on the counter.

Williams claimed up to the time of his death that the gun discharged accidentally. It is possible; the gun was missing its firing pin, and other witnesses testified that it discharged accidentally several minutes later, when Williams laid it on the ground. The robbers escaped with $2,500 and were caught several weeks later. Williams's wife turned state's evidence and was released. Holmes got life, Williams got death.

Five years later, when I first heard of Robert Wayne Williams, he had 36 hours to live. Word of his failed court appeal caught the newsroom by surprise and an editor sent me to Baton Rouge to find Williams's family and the family of his victim.

When I knocked on the Williams's door at 10 that night, I was reluctant, on the one hand, to add to their grief, but hungry, on the other, to hear what they had to say. Rose Williams, the condemned man's mother, was a hospital supply clerk, and a weekend minister in the Church of God. Was she angry or resigned? Hateful or forgiving? I didn't find out that night. She said she was too tired to talk and in the middle of setting her hair for her final visit with her son the next day. If I came back early in the morning, she said, she would talk to me.

On the way to my car I bumped into 14-year-old Troy Williams, the condemned man's son. My empty notebook quickly began to fill. "Killing him just because he killed somebody else ain't solving a thing," he said, squirming nervously and staring at the ground. "He didn't mean to shoot him. It just isn't fair. He's a real nice guy." I was standing in the street scribbling when the boy's aunt emerged from the house and caught me. "Didn't we ask you to leave?" she asked angrily. "Why are you violating our wishes?" I went back into the house and apologized to Rose Williams. I hadn't meant to antagonize her, I explained, I just happened to bump into her grandson. She heard me out and responded to my second intrusion simply and with dignity. "We accept your apology," she said.

I saw Rose Williams the next morning minutes before she left for the prison for her last visit with her son. She is a small, quiet woman who projects a sense of strength. She told me that she had contacted the victim's family, hoping to gain their forgiveness, but that they didn't want to talk. She was praying, she said, and she had contacted the governor's office to make a request: in the event the execution went through, she wanted to watch. "I saw my boy come in this world," she said. "I want to see him go out of it." She left for the prison and I remained in the small house with Williams's other relatives, who said I was welcome to stay. Of the four Williams siblings, only Robert had seen trouble with the law. The other three had settled comfortably into jobs as a speech therapist, a carpenter, and a cabinetmaker. Despite the terrible tension of the day, they seemed open and at peace. As we sat in the living room, a television "bulletin" flashed on the screen and our heads jerked, only to see a Christmas advertisement from a furniture store. A few minutes later, a real bulletin flashed. "Condemned killer Robert Wayne Williams is scheduled to die tonight," declared a somber newscaster before "The Price Is Right" returned to the screen. On top of the television, a plaque of the Ten Commandments warned against killing. Behind it hung a portrait of Rose Williams's

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condemned son, smiling, in a blue denim penitentiary shirt.

Across town, Charles Kelly, the victim's son, paid a compliment to the Williams family, whom he had met at a clemency hearing several weeks earlier. "My heart goes out to them," he said. "They're decent people." But Kelly's sympathies didn't detract from his desire for the justice he said he and his family deserved. His tone was reasonable but firm. "My philosophy is that if a guy commits murder, then he should die." After 15 minutes he grew weary of my questions and left for his job as a correctional officer at a juvenile detention home. I then visited Willie Kelly's old neighborhood and interrupted a driveway conversation between two of his former neighbors. "Did I know him?" one woman screamed. "That was my brother!" She left little doubt where she stood on the execution. "[Williams]'ll just have to suffer the consequences," she said. "It's in God's name with me—I'm a Christian." With that, she ran into her house and slammed shut the door. The other woman, also a sister of Kelly, said she was too distraught to discuss the execution. "It makes my heart weak to think about it," she said and retreated indoors as well.

But in the next house over, another Kelly relative was taking a different attitude toward the execution. Willie Kelly's 76-year-old cousin, Mattie Chinn, had watched the two sisters run from me, and she invited me inside. On the one hand, she shared their hurt. "Willie was going about his own business and wasn't hurting anybody and that man shot him in the face," she said. "I haven't gotten over it yet." But Chinn said the execution didn't settle well with her either. Somewhere the killing had to stop. We sat in a room decorated with a portrait of the two slain Kennedys and Martin Luther King. "Killing that man ain't going to bring Willie back," she said. "Need to do something about all these people killing folks. Need to get these people straightened out."

"Tears of joy"

It was already dark when I reached the state penitentiary, an 18,000-acre prison farm tucked between a remote bend of the Mississippi River and the Tunica Hills. At the gate, dozens of helmeted guards kept watch behind a chain link fence topped with barbed wire. Opposite them, the Williams family and a handful of supporters held placards and prayed in the rain. Reporters were searched at the gate and directed to the

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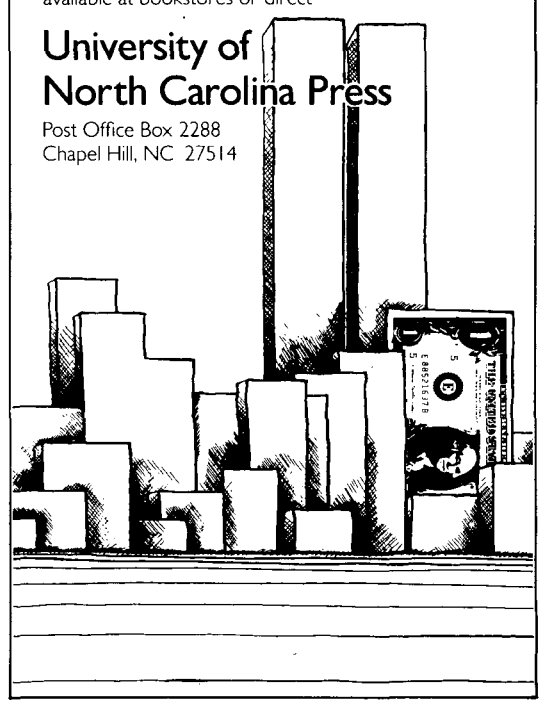

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prison administration building several miles away.

There, the mood was light. A grandmotherly press officer from the Department of Corrections dispensed coffee, sandwiches, and copies of Regulation 10-25, "Procedures for the execution of the death penalty." Most of us had written our stories before we arrived, leaving blanks ("His body twitched...get details," "He was pronounced dead at...get time") that could be filled in quickly after the execution. As the evening dragged on, reporters renewed acquaintances, fretted about deadlines, played cards, and promised to exchange recipes.

When an ACLU attorney was delayed in getting to Washington to file his appeal, the governor issued a one-hour reprieve—drawing groans from the reporters and an exasperated, "Oh, horseshit," from the night editor at the *Picayune*. The appeal was denied and the hour counted down.

At 1:01 a.m., Williams entered the execution chamber. He told his executioners that "God has entered my heart and saved me." At 1:06 a.m. an electrical charge "sufficient in intensity and duration to cause death" was passed through Williams's body, in accordance with Regulation 10-25. The press witnesses returned and provided the details—the body stiffened, the smoke was blue—and we filled in the blanks and raced for the phones. The cheerful corrections press officer told us how pleased she was that everything went so smoothly and urged us to get in touch if we needed to know about future executions.

The next day's headlines featured Williams as the "convicted killer." Several days later, however, his funeral featured a different Williams—Robert Wayne Williams the Christian convert. Three hundred mourners crowded into the 16-pew Faith Chapel Church of God, where Rose Williams serves as assistant pastor. They filed past Williams's open casket, past the burn marks visible on his shaved scalp. A note explained that Williams hoped the sight of the scorch marks would encourage people "to fight against capital punishment and help others turn away from crime."

Crying what he called "tears of joy," the Reverend J.D. Brown recounted the events leading up to Williams's conversion. "Robert saw himself forever banished in hell for the crime he committed," Brown said. "He felt the horror of seeing his hands blood-stained." In his frequent visits to the prison where Williams had awaited trial, Brown reminded him that other men had recoiled when faced with their own crimes—like King David, who plotted the death of his mistress's husband. Brown urged Williams to study King David's plea, as recorded in Psalm 51, to pray, "Deliver me from bloodguiltiness, oh God." Shortly thereafter, Williams asked to be baptized, and he lived out his last four-and-a-half years on death row a born-again Christian.

Brown and Williams had counted down the hours to the execution together, and Brown began to sob as he described the condemned man's last act. "They put the [electric chair] buckle around him," he said, laboring to catch his breath as the church rocked with shouts, "and he pulled off his watch and he said give this watch to Troy." Brown leaned across the podium, thrust the watch in 14-year-old Troy Williams's direction, and thundered: "Troy, your Dad said this is your Christmas present. He said, 'Tell my children I love them. Tell them to live right.' " Troy Williams passed out and was carried from the church.

In the cemetery the next morning, Brown stood poised over the grave. "The deterrence for crime is not the chair," he said. "The deterrence for crime is Jesus Christ. Earth to earth, ash to ash, dust to dust."

Looking for humanity

In thinking about who the condemned are, there are at least two important questions to keep in mind: Will the death penalty deter others like them? And, for all their violence, is there anything redeeming about them, any point in keeping them alive?

While the backgrounds and personalities of the condemned men I've talked with differ significantly, some important generalizations can be made. For one, most of those who wind up on death row are young. Studies show that the propensity for violence decreases with age and that men usually become less dangerous after age 40 or so. Second, most of them committed their crimes spontaneously, often in a moment of anger or fear. Some, like Robert Wayne Williams, reacted in the course of a robbery. And frequently, like Williams, the murderers were under the influence of liquor and drugs. Others killed in a sudden rage. But only a few of the murderers I spoke with had planned their murders calmly in advance.

To believe that capital punishment deters acts of violence, one must assume a rational calculation that the criminal rarely makes. Take, for example, David Dene Martin, whom I saw executed last year for killing his wife's lover and three others who happened to be present. At the time of the murders, Martin was fueled by a passion

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for revenge and a heavy dose of PCP; he was found dazed in the street afterwards, with no recollection of the shootings. When he committed the crime, his chance of receiving the death penalty was the farthest thing from his mind. In fact, Martin, a fundamentalist Christian, was at the time in favor of capital punishment. "I'd have said, hey yeah, you can't let people go around killing people," he told me in an interview shortly before his execution.

But for most supporters of capital punishment, deterrence is a secondary issue. Punishment, the desire to get even, comes first. Typically this feeling is accompanied by the sense, as one prosecutor said, that the people on death row are "scum," beyond any possibility of redemption, beyond all worth. This attitude is not confined to law-and-order conservatives. A lawyer with a lengthy record of service to liberal causes told me last year that he was growing weary of the fight against capital punishment. After 25 years of advocacy, he too was beginning to feel that some people just weren't worth preserving.

In writing about condemned men, I've tried to combat that feeling in myself, but I haven't always been successful. A year ago I interviewed Robert Lee Willie several days before his execution. Willie was sentenced to die for the kidnapping, rape, and murder of an 18-year-old girl. In addition, he had confessed to another kidnapping and rape, another murder, and an attempted murder that left his victim paralyzed below the waist. In seeking the interview I had hoped for an explanation for his crimes that would make them in some way comprehensible, to find some glimpse of humanity behind his reputation as killer without conscience. But Willie seemed determined to deny me.

"If I could live my life over again, I'd join a terrorist organization," he said. "Electric chair don't worry me, man. I have a lot of pride. I don't run from nothing."

He then spent two hours detailing his exploits, in a voice that hinted of pride.

"We got loaded one night, man, about 4:30 in the morning," he said. "We was gonna rob this store...but too many people was there so we blowed it off. I had a sawed-off shotgun. We seen this broad walking along the side of the road, so I asked her did she want a ride."

Willie and his companion, Joseph Jesse Vaccaro, then each raped Faith Hathaway in the back of their Ford. They drove her to a remote wooded area where "she kept saying, 'Don't hurt me,' " Willie said. They stabbed her 17 times. Willie blamed Vaccaro. Vaccaro testified that Willie "jugged her and jugged her until she begged us to kill her."

Several days later they were cruising again. They found 20-year-old Mark Brewster parked with his girlfriend in a lovers' lane, kidnapped the couple, and raped the girl along the way. Willie then led Brewster into the woods, planning, he said, just to tie him up.

"We wasn't planning on hurting him until he got kind of smart, you know," Willie explained. "Got to making all kinds of demands. He demanded to be let go. I had a little pocket knife. I cut his throat. I stabbed him in the side. He slumped over and I kept wondering, 'Man, is this dude gonna die?' Then he'd raise back up [as if to say], 'I'm still alive, asshole.' That's when I left and got Joe and told him, 'Hey, man, this dude won't die, you know.' Joe said, 'Yeah, he'll die.' "

Vaccaro left Brewster with a bullet in the head that paralyzed him from the waist down. When Brewster appeared to testify in court, Willie mocked him by drawing his finger menacingly across his throat. He blew kisses at Brewster's girlfriend, the victim of his repeated rape.

I asked him if he was an animal.

"People say I'm an animal," he said. "But they wouldn't say it to my face. I wouldn't say I'm an animal. But I am a cold person."

Following the interview, the author of one letter to the editor called the profile the best argument for capital punishment he'd ever read. But if the letter-writer had read the paper more closely that week he might have drawn a different lesson from the case of Wilbert Rideau.

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As a 19-year-old porter in 1961, Rideau robbed a Lake Charles bank, kidnapped three witnesses, and attempted to kill them all. When one of the tellers begged for her life, Rideau told her, "It'll be cool and quick," and cut her throat. Convicted of her murder, he was sentenced to die. His sentence was overturned twice and twice reinstated in new trials. Following his third conviction, Rideau spent more than a decade on Louisiana's death row. In 1972, when the U.S. Supreme Court struck down death penalty laws as they then existed, Rideau's sentence was commuted to life in prison.

Rideau used much of his time on death row to improve his ability to read and write. Several years after his sentence was commuted he became editor of the prison magazine. Today it is nationally acclaimed, the first prison publication ever to win such honors as the Robert F. Kennedy, the George Polk, and the Sidney Hillman awards. He travels the state with an unarmed guard and lectures to schools and civic groups. He has been the subject of laudatory profiles in *Time* and *The New York Times*. When Rideau's application for release went to the state prison board, even the penitentiary warden and the secretary of corrections endorsed his release. "If anybody in this state has ever been rehabilitated," wrote corrections chief C. Paul Phelps, "it is Rideau."

These are Rideau's own thoughts on his rehabilitation:

"I violated the most basic law of mankind—the right of another person to live in peace and free of harm. Words are inadequate to apologize for a crime such as this but I have expressed my remorse and will continue to feel that regret for the rest of my life. . . . I am not the person I was a quarter of a century ago. I desperately wish for the opportunity to be free, not just for the beauty of freedom itself, but to prove to society that their forgiveness and trust would not be misplaced."

Shortly before Christmas 1984, the Louisiana Pardon Board unanimously recommended Rideau's release, but Governor Edwin W. Edwards refused to sign it.

Tumbling dice

Using a skillet, a stool, and a television set, Timothy Baldwin bludgeoned to death his child's 85-year-old godmother. Baldwin killed her while robbing her home. He had an extensive prior record that included burglary, bad checks, and jail escapes. In 1984 Baldwin was executed.

Using a soda bottle and a wire, Ledell Chew beat and strangled to death his girlfriend's 85-year-old neighbor. Chew murdered her while robbing her home. He had a prior conviction for attempted murder. But a jury spared Chew's life. He is serving life in prison.

Earnest Knighton Jr. fired the shot that killed a 52-year-old gas station manager during an armed robbery. Knighton had an extensive criminal record that included drugs and burglaries. In 1984 he was executed.

Charles Hodges fired the single shot that killed a 48-year-old food store clerk during an armed robbery. Hodges had a lengthy prior record that included another armed robbery and auto thefts. But a jury spared Hodges's life. He is serving a life sentence.

When an elderly woman resisted his attempt to snatch her purse, Curtis Kyles took her life with a shot to the head. Kyles had no prior record. In 1984, Kyles was sentenced to die. He is awaiting execution.

When an elderly woman resisted his attempt to snatch her purse, Derrick Bell killed her with a shot to the head. Bell had no prior record. But a jury spared Bell's life. He is serving a life sentence.

These cases, and hundreds of others like them across the United States, typify the randomness of capital punishment. Similar crimes often send one man to prison for life and leave another condemned to die.

The arbitrary nature of capital punishment in the United States is significant for several reasons. First, it raises questions about the fairness of the judicial system. Second, the issue of randomness was precisely the issue cited by the U.S. Supreme Court in 1972 when it declared capital punishment unconstitutional. In a key opinion, Justice Byron White held that the death penalty constituted cruel and unusual punishment because "there was no meaningful basis for distinguishing the few cases in which it is imposed from the many in which it is not."

Following that decision, a number of changes occurred in death penalty law. Statutes prescribing capital punishment for rape, kidnapping, and armed robbery were thrown out. Now only a few specific types of murder can be punished by death. In addition, to provide jurors with more information on a defendant's background, most states set up a two-phase trial system. In the first phase, the jury decides whether the accused is guilty or innocent. In the second, the convicted man has the chance to present character witnesses and mitigating evidence in arguing that his life be spared. After surveying these changes, the

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"Killing that man ain't going to bring Willie back," said Mattie Chin, 76-year-old cousin of murder victim Willie Kelly. "Need to do something about all these people killing folks. Need to get the people straightened out."

Supreme Court in 1976 approved the reinstatement of capital punishment, arguing that the reforms would rid the courts of their previous, erratic sentencing patterns. But that prediction has proved to be wrong.

Last year I conducted a computer study of 504 capital murders in Louisiana in an effort to find out what factors truly govern the death selection process. Using FBI crime reports, I was able to record data for each crime, including the age, race, and sex of the victim and the killer; the type of weapon used; the judicial district in which the crime occurred; and the type of additional felony, like rape or robbery, that may have accompanied the crime. Using records from the Louisiana Supreme Court, I was able to identify those cases that resulted in death sentences. The computer program allowed me to assess the impact of each variable on a death sentence. What I found is that the decision to spare some murderers and execute others frequently hinges on factors that are beyond a criminal's control and are irrelevant to his guilt. Race, geography, the inclinations of the prosecutor, the talents of the defense attorney, and simple luck all play important roles in what amounts to a lottery of death. Confronted with the abundant evidence, supporters of capital punishment admit as much. "I hate to use words like 'random,' 'chance,' 'throw of the dice,'" New Orleans district attorney Harry Connick told me. "But that's what we have. One guy can get the death penalty while the guy next door doesn't for the same thing."

One of the most important factors in determining who lives and who dies is the race of the victim. Of the 504 cases I studied, 14.5 percent of the men who killed whites were sentenced to die. But only 4.1 percent of those who killed blacks received the death penalty, and no whites received the death penalty for killing a black. In part, those numbers reflect a racial bias—juries, which in Louisiana are predominantly white, seem to value white lives more than black lives. In addition, a type of economic bias is at work. Juries tend to punish attacks on the affluent more severely than attacks on the indigent.

Two New Orleans murders show the discrepancies in sentencing that race and class can produce. Two years ago Curtis Kyles killed a 58-year-old woman in the parking lot of a grocery store while stealing her purse. Kyles is black and lived in a New Orleans housing project. His victim was white and married to a local contractor. While the killing was tragic, it was his first criminal conviction and his lawyers thought they had a good chance of receiving a life sentence. The jury sentenced him to die.

By contrast, consider the case of a man who a few years earlier killed an entire family. Kenneth Vincent bound and stabbed to death a husband, wife, and their 11-year-old daughter; a fourth victim, found with a knife stuck in him, survived by feigning death. The judge who tried the case called it "the most heinous in the city of New Orleans." But while Kyles's victim was white, Vincent's were black; while Kyles's victim was middle-class, Vincent's were poor. And while Kyles was sentenced to die, Vincent received a life sentence.

Other decisions are influenced by geography. In New Orleans, I found that 8.6 percent of the murders resulted in the death penalty. In the surrounding suburbs, where largely conservative jurors reside, I found the death penalty rate almost twice as high. Crossing the parish line brings not only different jurors but different prosecutors. Louisiana has 41 district attorneys and each has the sole authority, within his district, to decide whether to seek the death penalty. Differences in their policies contribute to the discrepancies in sentencing patterns.

Take, for example, the erratic policies of former St. Tammany Parish District Attorney Marion Farmer. On Labor Day 1978, two ex-convicts kidnapped a teenage couple, took them into the woods, and blasted them each four times with a shotgun, killing the girl. Given the men's records, the victims' innocence, and the strength of the evidence, one prosecutor working on the case said, "I'd have bet the ranch that was a death penalty." But Farmer let the two men plead to a life sentence. The victim's family unsuccessfully petitioned a state court to force Farmer to seek the death penalty, protesting his "whim and

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caprice." He said he reduced the charges in order to avoid the risks of trial and possibilities of lengthy appeals. But in his six years in office, Farmer sent four others to death row, one of whom has been executed.

In another parish, the district attorney allowed every accused murderer the chance to plead guilty in return for a life sentence. But when Timothy Baldwin refused to do so, prosecutor Johnny Carl Parkerson sought and received a death sentence. "Baldwin could have chosen life instead of death," Parkerson told the Louisiana Pardon Board. "He chose to roll the dice."

Of course the capabilities of the defense lawyer —usually court-appointed—also play a large role in the death penalty lottery. And defenses in murder cases can differ dramatically. I covered the trial of a New Orleans furniture store executive charged with killing his wife. He spent $250,000 on his defense, hired a Minnesota psychologist to help him pick the jury, and flew in scientific experts from across the country. "Thank God I had the resources," he told me after an 11-day trial ended in his acquittal. "If not, they would have had me in jail." By contrast, most court-appointed defense attorneys are paid only $1,000 and most capital murder trials are only two- or three-day affairs.

The case of Elvin Myles provides a good example of how a skilled attorney can save his client's life—and how a less-skilled one can lose it. Myles was convicted of killing a 69-year-old woman in a department store robbery. During the hearing to determine whether he would live or die, his court-appointed attorney made no opening statement, presented no witnesses, and offered only a brief summation. He didn't even ask the jurors to spare Myles's life, telling them instead to vote as they saw fit. The jury sentenced Myles to die.

But when a higher court reversed the sentence and gave Myles a new hearing, death penalty opponents recruited John Reed, a top New Orleans defense attorney, who later gained prominence for his defense of feminist Ginny Foat on murder charges. Reed donated about 200 hours preparing the case—time that would have cost about $25,000 at standard downtown billing rates. He spent three days grilling prospective jurors about their feelings on the death penalty. Among the witnesses he then presented were Myles's sister, a New Orleans deputy sheriff, who told the jury Myles's childhood had been filled with violence, including his father's murder of his mother. Reed's closing remarks lasted an hour and stressed the possibility of rehabilitation. This time, the jury spared Myles.

While factors like race, geography, and the skills of the attorneys all provide clues as to who gets executed and who doesn't, they don't tell the whole story. To a large extent, the death penalty lottery runs on a component that defies quantification: luck. "You have what I call the 20 percent gonzo factor with juries," explained John Craft, who has handled capital cases both as a New Orleans prosecutor and defense attorney. "Any time you present a case, there's a 20 percent chance the jury will do something totally off the wall."

For example, in 1981 a New Orleans man named McKinley Lonmire was convicted of beating and stabbing to death a 58-year-old woman while burglarizing her home. The jury voted 11 to 1 for the death penalty, thus sparing his life by failing to reach the unanimity needed under Louisiana law. What prompted the merciful vote?

"[The juror] came up to me after the trial and said, 'I want you to know I thought the death penalty too good for him,' " the prosecutor told me. 'I wanted the guy to languish in prison.' "

Witness

I had covered the death penalty for more than a year before I finally witnessed an execution. My desire to watch someone die had several motives. As a reporter, I found it frustrating to rely on others' accounts when writing my stories. As someone spending a lot of time and energy thinking about the death penalty, I found it frustrating to be distanced from the act I was trying to fully comprehend. And perhaps I felt a little voyeurism, too, the same kind that causes necks to crane when passing wrecked cars.

I had known David Dene Martin slightly and liked him. I had spent some time with his friends and family and had listened to their accounts of his slide from evangelist to the PCP-crazed husband who killed his wife's lover and three others. On the day of his execution, I spent six hours sitting in the room with him as his lawyer unsuccessfully pleaded for his life before the pardon board. He and I chatted during recesses. I didn't want him to die, and I expected his execution to be an emotionally wrenching experience. But what turned out to be most disturbing about watching David die was how little it disturbed me at all.

Along with the other witnesses—three other reporters, a state senator, and a judge—I was bused several miles from the prison's administration building to a waiting room near the death house. We arrived shortly after 10 p.m., signed

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In seeking an interview with Robert Lee Willie, who had been convicted of murder, kidnapping and rape, I had hoped for an explanation for his crimes that would make them in some way comprehensible, to find some glimpse of his humanity. But Willie seemed determined to deny me.

some forms, and settled down on vinyl-covered couches. We read the newspaper, gazed at a televised basketball game, and snacked on sugar cookies. For reasons I never understood, we were forbidden to read books or make telephone calls.

No one talked much, particularly about the execution. At 11:30 prison guards asked us to empty our pockets and then combed us with metal detectors. A 25-yard bus ride in 30-degree weather brought us to the death house door. At 11:50 we filed through a smoke-filled anteroom of guards and took our seats ten feet from the electric chair, separated from it by a Plexiglas barrier.

An assistant warden, like a respectful tour guide, furnished us with an orientation. He said the black rubber mat was spread beneath the chair to guard against others accidentally joining David in electrocution. Two red phones were ready, their lines tested, in case the governor changed his mind. The exhaust fan was turned on to eliminate the smell. There were wet towels in case anyone felt faint.

The execution chamber is built of pea-green cement blocks. Two wires run from a white cabinet to the brown oak chair. Beside the chair lie an executioner's hood and electrodes. On the wall behind the chair hangs a large white clock with crisp black numbers and a circling second hand. It was 11:58 and we talked only in whispers. By 12:02 we didn't talk at all. A minute later I felt a nervous flash travel through me. At 12:04 David walked in.

His eyes were wide and his nostrils flared—an expression I interpreted as fear and another reporter saw as anger. His head had been shaved and his arms and legs were locked in chains. He looked small and frail. He wore a long-sleeved, white undershirt, blue jeans, and beach sandals. A diaper poked out of his waistband, fastened there to collect intestinal discharge. He declined a final statement.

Four burly prison guards in penitentiary blue whisked him into the seat, where a flurry of strap-fastening began. They worked quickly and precisely, like department store clerks throwing ribbons around a Christmas package. The guards had trouble connecting the electrode to David's shaved left leg, and he winced as they yanked the straps. Then he closed his eyes and the expression drained from his face. The guards dropped the gray canvas hood over his head and left the room.

Two-and-a-half minutes after he had walked in, David was locked into the chair, spine straight, head tilted back, fists clenching the chair's arms. He looked like an astronaut ready for launch. I prepared to gasp when the electricity hit. But I didn't.

The switch echoed with a metallic slam and David gave a slight heave forward, like a puppet twitching at his master's pull. His thumbs tucked inside his fists, which curled into purple knots. For the next 60 seconds all we heard was the clank of the switch as the executioner altered the current. There were no cries of pain or protest, no visible signs of suffering.

The coroner waited five minutes for Martin's body to settle, so that the body noises wouldn't be confused with a heartbeat. He probed his chest with a stethoscope and his eyes with a flashlight. Finding no evidence of life in either, he walked to the execution chamber microphone. "The inmate was declared dead at 12:16 a.m.," he said.

The strange thing about an execution is that nobody actually seems to do it. Was David Dene Martin killed by the jury that sentenced him? The governor who acquiesced? The warden who presided? Covering an execution forces a reporter to violate one of the first rules of newswriting—it forces us into the passive tense. I had to write, "David Dene Martin was executed. . .," because I couldn't say who executed him.

David Dene Martin's death was clean and efficient, wrapped in ritual and surrounded by bureaucracy, carried out in accordance with the lawyerly dictates of Regulation 10-25. It didn't seem real. As I walked out, I half-expected him to get up and follow.

Somehow I expected the taking of a life to be something more awesome. What I saw seemed to trivialize not only his life but life in general. ■

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WHO'S AFRAID OF THE F.E.C.?

by Colleen O'Connor

In 1982, Mississippi's second district hosted one of the closest congressional races in the country. The Democratic candidate and odds-on favorite to win was Robert Clark, a state representative who had been the first black since Reconstruction to win a Mississippi Democratic congressional primary. His Republican opponent was Webb Franklin, a white circuit court judge and former Democrat. When Franklin scored an upset and won by 2,914 votes, many were taken by surprise. And when the Federal Election Commission (FEC) announced three years later that Franklin's campaign committee had broken campaign laws by accepting more than $60,000 in illegal contributions, many who had been surprised felt they had found the secret to Franklin's narrow triumph.

The illegal funds came in a last-minute avalanche. During the period starting five days before the election and ending two weeks after, the Franklin campaign obtained the money through a series of bank overdrafts from the Bank of Greenwood, a branch of the First National Bank of Jackson. Because the bank had not formally extended overdraft protection to the campaign account, the FEC considered the overdrafts to be campaign contributions—which banks are prohibited from making under the Federal Election Campaign Act of 1971. In addition, the FEC cited three men, one of whom was William B. Crump III, now Franklin's chief congressional aide, for endorsing a $30,000 loan to cover Franklin's overdrafts. Under the law, endorsing a bank loan is considered a campaign contribution. All three already had contributed to the legal limit, so the endorsement amounted to an excess contribution of $10,000 from each.

The money clearly had a critical effect on the election. At a time when campaign bank books are usually looking anemic, Franklin had money for a last-minute media assault and, according to forms filed with the FEC, for election day transportation, a key element for turning out black voters, especially in rural areas, where they often have no way to get to polling places. (A large percentage of the voters in the second district are black.) There were also a number of donations to black churches made the day after the election; candidates frequently pledge contributions to black churches so the preacher will lend support or at least hold his peace. According to Fred Slabach, executive director of the Mississippi Democratic party and a volunteer on the Clark campaign, the money was decisive. "If we had had an extra $30,000 in 1982 there is no doubt in my mind that it would have made a difference," he says. "During the last three or four weeks, Robert Clark was scratching for money."

But running afoul of the FEC proved to be a painless affair for Franklin. His campaign committee was penalized $7,500 and the Bank of Greenwood $2,000. "Franklin basically got off with a slap on the wrist," says Slabach. "If

Colleen O'Connor is a writer living in Washington, D.C. Research for this article was funded by the Project for Investigative Reporting on Money and Politics.

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In Japan, a 12-year old can tell you about Lee Iacocca. What do you know about Eiji Toyoda?

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The FEC can enforce penalties only by filing suit in federal court, which is more than its $12 million budget can routinely afford. As a result, penalties are usually in the $250 to $1,000 range.

$30,000 in illegal contributions will get me elected, why not just take the risk and pay the $7,500 later? What's the deterrent?"

Pay the man the $5

If anything, the FEC proved fiercer in its handling of the Franklin case than it has in most others. A look at more than 300 cases on file reveals an organization that is somewhat less than intimidating.

- After a 1978 campaign in Alabama, the Walter Flowers for U.S. Senate Committee paid a $1,500 penalty for receiving almost $140,000 in illegal contributions. Most of that money came in the form of overdrafts, but $35,000 of it was a loan from Flowers's brother. (Loans from anyone, including blood relatives, are considered contributions, according to the Federal Campaign Act.) Calculated on the entire sum, the fine is equivalent to a loan at about 1 percent. You'd have a hard time getting that rate at your local bank.
- A whopping $200 penalty—less than a round-trip fare from Washington to Kennebunkport—was assessed to the George Bush for President Committee for violations that included failure to report as campaign funds bank accounts in 37 states during the 1980 presidential campaign and for accepting $20,195 in illegal contributions during that campaign.
- A $500 penalty was paid by the Republican National Committee for receiving $33,933.23 in corporate contributions, which are prohibited, and for spending more than the allowed limit of $10,000 on the campaign of a candidate for Congress in Michigan.
- A $4,000 penalty was paid by Senator Edward Kennedy's presidential campaign committee for receiving excess contributions totaling $75,092 during the 1980 campaign and for failing to report a $400 contribution from a labor union and a $1,500 loan from an Arizona bank.
- A $4,000 penalty was paid by the 1980 Reagan for President (RFP) Committee for receiving $194,056 in excess contributions from the Citizens for the Republic (CFTR), Reagan's PAC. (CFTR was hit for a stiff $1,000.) In a separate case, RFP was fined $9,500 for accepting $187,349.94 in illegal contributions. So in sum, RFP had the use of $381,405.94 for the low, low price of $13,500. Equally damaging to the Reagan effort was that the first penalty wasn't assessed until three years after the election and the second not until four years after.
- In a rather byzantine case, William F. Buckley and some associates were investigated after setting up a PAC to support the 1980 Senate bid of Buckley's brother, James, and Rep. Stewart McKinney's reelection in Connecticut. It seems that before the PAC, the Committee to Aid Connecticut, had any money, William Buckley had *National Review* put up almost $20,000 for advertising for the candidates, with the idea that the PAC would repay the money when it received some contributions. According to FEC files, William Buckley, his sister Priscilla, and Raymond Learsy then each gave $5,000 to the PAC. The FEC ruled that the *National Review* money was not a loan but an illegal corporate contribution and that the $5,000 contributions were personal campaign contributions (which are limited to $1,000), rather than independent expenditures (which are unlimited) because the contributors gave money to the committee knowing that it was going to defray advertising costs for those specific campaigns. *National Review*, the Buckleys, and Learsy did not have to pay any fines, though the Committee to Aid Connecticut got a $2,500 civil penalty.
- No penalties were levied against the Cliff Dickman for Congress Committee, which received an illegal contribution of $23,825 in the form of a bank loan endorsed by three of Dickman's supporters. Although the FEC found the three and the committee in violation of the statutes, it decided "to take no further action and close the file." In lieu of a penalty, each party received a letter of admonition.

Virtue unrewarded

Taking no further action seems to be what the FEC does best. Clayton Roberts of the National Right to Work Committee, a lobbying organization opposed to union dues being used for con-

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tributions to political campaigns, says, "We've been involved in several cases, complaints that we have filed with the FEC against both Mondale and various labor unions, including the NEA and the AFL-CIO, where the FEC has found in our favor in every count. They have said, 'You are right, the Mondale campaign is guilty, the AFL-CIO is guilty,' and that's the end of it—no penalties whatsoever." Michael Malbin, a political scientist at the American Enterprise Institute, agrees that the FEC is hardly a tiger among regulatory agencies. "I think it's an FEC pattern to look at little things and spend a long time doing it, and when they penalize, to make it look like candidates should just go out and do it again."

Congressmen elected in 1984 spent $18 million more than they raised before voters went to the polls. Given this upward spiral, it seems likely such campaign improprieties will increase. Indeed, the candidate who *won't* break the rules to match his rival's spending risks becoming a case of virtue unrewarded. Because there is no limit on how much a candidate can loan his own campaign, the rich already have a distinct advantage in running for office. Less wealthy candidates have difficulty persuading banks to lend them the necessary cash, so naturally they are tempted to accept illegal contributions. Then there's the matter of interest rates: Why pay 15 percent or more when your illegal contributions offer the best rate on the market?

The FEC's low-cost capital is not a terribly well-kept secret. David Ifshin, a lawyer who specializes in campaign finance and served as general counsel to the Mondale campaign, has observed as much. "My clients increasingly ask me when they call up, 'Am I talking about a $100 civil penalty if I do this and get caught?' My advice is, 'Look, there's a willful and knowing aspect to this. If you go out and violate the law, knowing in advance you're violating the law, you have the potential to have it referred to the Justice Department for criminal prosecution.' But it's also true that there have been no referrals for criminal prosecution and most people who are professional in the area know that."

Actually, Ifshin exaggerates. In the 11 years the FEC has been in operation, it has referred one case to the criminal division of the Justice Department. In that instance, supporters of former Pennsylvania Governor Milton Shapp, in an attempt to cover their tracks, attributed their own excess contributions to Shapp's presidential campaign to a group of other people. The convictions were overturned on technicalities, so no one ever has gone to jail for campaign contribution abuses. The highest penalty ever levied by the FEC was one recently given the Mondale committee for its much-publicized use of delegate committees to circumvent spending limits. The committee agreed to pay an $18,500 penalty and refund $350,000 to the Treasury Department. The great majority of penalties don't come close to this figure; they are generally in the $250 to $1,000 range.

Lean but not hungry

Why isn't the FEC tougher on violators? A major reason is that the FEC does not have the legal power to levy fines. Instead, it recommends penalties and then enters negotiations with the offending party to arrive at a mutually agreeable sum. The guidelines the commission uses to decide on fines are supposed to hinge on the question of intent: If it decides a violation was done without willful and knowing intent, then it may recommend a figure anywhere from $5,000 to the full amount of the illegal contribution. If the FEC does find intent, the penalty can range from $10,000 to twice the total of the illegal contributions. But that rarely occurs; finding intent is too complicated a legal matter, so the actual range of penalties is usually the one set for the unknowing violators.

Arbitration makes a farce of the whole affair. Predictably, if the commission comes in with a request for a $7,000 penalty, the offender will offer a host of excuses and say he thinks $250 is a fair sum. Both parties know that the only recourse the FEC has if no agreement is met is to

The FEC's first random audit had the bad luck to find improprieties in the campaign finances of James J. Delaney, chairman of the powerful House Rules Committee. Not long afterward, Congress stripped the FEC of the right to conduct random audits.

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file suit in federal court—something it's loath to do because of the high cost of litigation. So the violator is in the driver's seat, and he's likely to end up with a penalty roughly equivalent to writing one hundred times on the blackboard, "I will not break the law."

The rationale behind the FEC's enforcement policy is that it lacks the manpower to strike fear into candidates' hearts. Fred Eiland, an FEC spokesman, explains: "We've got a small staff, we've never been a big organization, and we've just got to measure how we're going to spend our resources." Like the IRS, the FEC is an agency where beefing up the staff might actually help lower the federal deficit, since greater enforcement would result in more revenue from fines. Unfortunately, the FEC doesn't seem particularly interested in becoming more aggressive. As Eiland sees it, the system is designed so that public disclosure—not civil penalties—is the primary deterrent against campaign finance abuse. This, Eiland says, puts much of the responsibility on journalists for publicizing the infractions. "Then if people don't approve of what the incumbents or candidates have been doing, there are always the polls at the next election. And if they reelect them, then all you can say is, 'Well, the people did it.' "

It's true that journalists aren't always aggressive in pursuing FEC stories. But it's also true that the FEC moves so slowly in investigating and negotiating that judgments are rarely made until after the election, when it's too late to make a difference. Indeed, in the Franklin case, the 1982 violations were not punished until three years later—after the reelection campaign in which Clark once again lost to Franklin in a close race. "On both counts the FEC failed in 1982," says Fred Slabach. "It didn't deter anybody from doing anything, and it didn't even disclose [the violations] to the public in time for it to do any good in 1984. If the purpose of the FEC is to deter this stuff through public disclosure, they ought to get their asses in gear and do it in time for the next reelection cycle."

Pardon my audit

Though the officials at the FEC are not winning prizes for temerity, ultimate responsibility for the weakness of the commission lies with Congress. What teeth the FEC had when it was established in 1975 were removed in 1979 when Congress took away the FEC's power to conduct random audits of congressional campaigns. Under the audit program, 10 percent of the members of the House and Senate were to be examined. This was not terribly popular in Congress. "You would have thought somebody had planted a nuclear device on Capitol Hill, from the reaction up there," says Jan Baran, a Republican election-law expert. "Everyone was scared." The commission's first audit had the bad luck to find improprieties in the campaign finances of James J. Delaney, chairman of the powerful House Rules Committee. Complaining that the FEC officials who audited his books "didn't know one thing about the law," Delaney questioned the wisdom of congressmen appropriating money for the sake of investigating themselves. Delaney's violations turned out to be minor, and his case was closed without a fine. But not long afterward, Congress stripped the FEC of the right to conduct the audits. To spare themselves the tedium of explaining the complexities of this issue to their constituents the House administration committee made the decision by voice vote.

Since then, Congress has continued to neuter the agency through budget cuts. At about $12 million a year, the FEC weighs in with one of the lightest budgets of any regulatory agency. Since 1980 its staff has been cut by 13 percent, even as the total number of PACs and campaigns it oversees has doubled. Under Gramm-Rudman its budget is likely to shrink by nearly $1 million next year.

Congress also enjoys considerable sway in choosing the FEC's six commissioners—three Democrats and three Republicans—since the president nominates the commissioners from a list provided by senators of the party whose seat is open. Zealots obviously will not go to the head of the class. Finally, the secretary of the Senate and the clerk of the House are ex officio members of the commission and keep an eye on matters that may affect Congress. As a result, the FEC is particularly timid about confronting incumbents. And since Democrats and Republicans are both guilty of violating FEC rules, neither party is interested in turning FEC timidity into a campaign issue.

Plenty of regulatory agencies are and have been heavily influenced by the industries they oversee. That's bound to occur even with a reform-minded government, because the people who make up the industry are capable of organizing on their own behalf. But there may be no other agency or commission that is so perfectly dependent on the group it regulates—the Congress—as the FEC. Until voters demand more vigorous enforcement, an FEC fine will continue to provoke little more anxiety than a traffic ticket. ■

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TIDBITS AND OUTRAGES

VREELAND ADDED THAT SHE THOUGHT THAT EMANCIPATING THE SERFS WAS A PERFECTLY DREADFUL MISTAKE

"I think the maid is 50 percent of a well-dressed woman. When I see the return of the maid to look over your clothes and make you feel great before you go out, then I will see a return to elegance. I don't see why more people don't want to be maids, handling such beautiful things. I'm talking about a person with exquisite things. That person somehow has been misplaced, and that's a shame. You can't just buy a dress that cost $10,000 and consider yourself elegant."

—Diana Vreeland in the *Los Angeles Times*.

LOOK.
SEE HALSTON.
SEE HALSTON RUN.
RUN HALSTON, RUN.

In marketing its new black and white picture magazine *Picture Week*, Time Inc. is attempting a departure from the current popular strategy of targeting affluent "upscale" groups. Instead, *Picture Week* is aimed at readers who, in the words of one Time employee, "find the editorial content of *People* too taxing."

CONGRESS PROTECTS ITS FAVORITE ENVIRONMENT

During its last session, Congress failed to appropriate more funds to keep the Superfund toxic waste cleanup going. Eight million dollars will, however, be appropriated to remove and replace high voltage transformers in the Capitol that contain carcinogenic PCBs.

I FEEL PRETTY, OH SO PRETTY,
I FEEL PRETTY
AND WITTY AND WISE....

"I am, I fully grant, a phenomenon, but not because of any speed in composition. I asked myself the other day, Who else, on so many issues, has been so right so much of the time? I couldn't think of anyone."

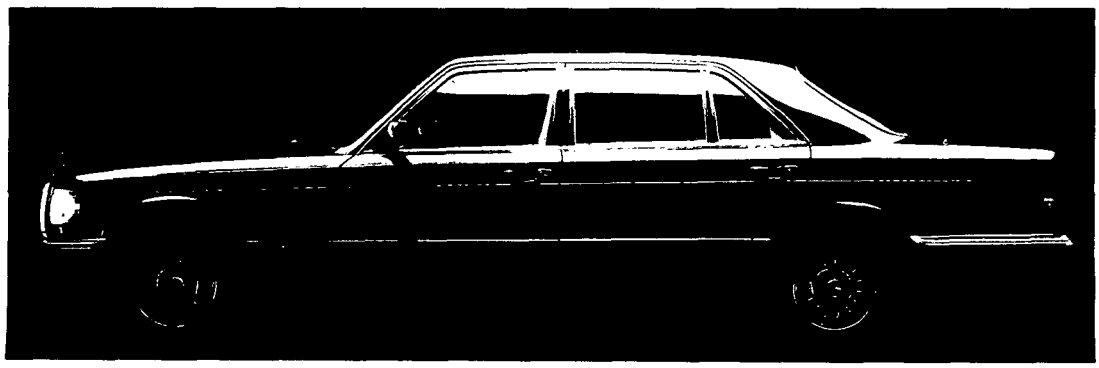
—William F. Buckley, Jr. in *The New York Times Book Review*.

BUT AT LEAST THE GAS WAS UNLEADED

The EPA inspector general reports that one-third of all the trips made by government cars and drivers at the agency were to lunch. The average cost of a trip was $45.

YEAH, BUT WHAT ABOUT AN AM-FM RADIO?

From the catalogue of *Perquisites* of San Francisco, this Mercedes Benz 500 SEL is "bullet and bomb proof....Bumpers are reinforced with steel and tires are virtually puncture-proof...the phone has bug detectors and a scrambler...a tracking system which alerts outside personnel and allows them to establish your location at all times via a built-in transistor....Other options such as a remote control ignition starter to detonate connected explosives without injury to passengers and driver, tear gas and oil slick emission systems to deter attackers or vehicles in pursuit, and more, available upon request." Price: $140,000.



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THE MAN WHO WOULD BE SPEAKER

by Steven Waldman

February 1981. Early drafts of President Reagan's first budget plan, which included deep cuts in many of the most worthwhile domestic programs, were making the rounds on Capitol Hill. School lunches, tuition aid for the poor, and Medicaid—programs that represent the core Democratic notion that government should lend a helping hand to those who need it—all were slated for huge reductions.

In the House of Representatives, suddenly the only body the Democrats controlled, a stunned Democratic leadership tried to formulate a strategy to protect the programs it most valued. Finally, they drew the first line of battle: Programs for the neediest? Programs that worked the best? Education programs? No—the Synthetic Fuels Corporation. A letter to the White House from House Majority Leader Jim Wright of Texas and 30 other Democrats begged the administration to spare Synfuels's $5 billion in federal subsidies and loan guarantees. The program, which paid corporations to produce fuel at $60 to $90 per barrel (the present cost of oil is $17 per barrel) through processes that actually consumed more energy than they produced, is today being phased out as one of the few programs that both Democrats and Republicans, liberals and conservatives, could agree was a waste of money.

"Does that sound weird?" asks a former aide to a member of the House leadership. "Damn right it's weird. It's Jim Wright."

Steven Waldman is an editor of The Washington Monthly
Elizabeth Harman assisted with research for this article.

The person who decided the Democrats should man the barricades for Synfuels will probably become Speaker of the House of Representatives in 1986, replacing the retiring Tip O'Neill. Perhaps that doesn't seem extraordinary. Wright has been in Congress for 32 years, majority leader for the past nine. His ascent to the speakership seems as inevitable as Prince Charles's to the throne. But before Democrats allow the majority leader to move into the speaker's chair, they should consider that this may be the most important leadership race in many years—so they might want to think seriously about how they choose their speaker.

Leading the monkeys

If you were to stop 100 Americans on the street and ask them who the leader of the loyal opposition was when Richard Nixon was president, they might answer Edmund Muskie, or J. William Fulbright, or maybe Dan Rather. Few would mention John McCormack or Carl Albert, the two speakers of the House during Nixon's administration. But if you asked them who leads the Democrats under Ronald Reagan, a vivid image would lumber into their minds: that spherical Irishman with the mop of white hair, Tip O'Neill.

It would be a vivid image not simply because this speaker has a distinctive form but because Americans have seen and read about O'Neill frequently. He denounced the president's budget cuts, warned about Social Security reductions, and fought against the big tax cut. He has been,

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Photo: Diana Walker

in many people's minds, the Democratic party incarnate, an image that Republican strategists tried to exploit on all possible occasions. What better person to symbolize the party of taxers and spenders than an old-time pol who protests against budget and tax cuts?

O'Neill became speaker the same way most have, by being a loyal soldier, a good friend, helping colleagues when he could, placing his foot on the leadership ladder and slowly climbing up. Little thought was given to whether he would be a good symbol for the Democrats or even a good national Democratic leader. He was to be the man who tamed the monkeys, who made the hearings run on time, who tried to make that Rube Goldberg contraption called the House function as a legislative body.

But in 1980, the Democratic party lost control of the Senate and the White House, leaving the House of Representatives an island of Democratic control. The speaker was no longer the leader of an institution. He became the leader of the Democratic party. His statements were the Democrats' statements; his actions helped shape the Democrats' legislative agenda and television image.

Six years later the Democrats still control only the House. How the House tackles tax reform, trade, and Gramm-Rudman could change Americans' perceptions of the party. In a best-case scenario the Democrats might win back both the Senate in November and the White House in 1988. In that case, the speaker's legislative ability and priorities can help make or break a president. In the worst case scenario, the House will be *the* haven for the Democrats in Washington for the next two to six years. What happens in the House during this pivotal time, when allegiances are shifting and parties may be realigning, will be crucial in molding public opinion about the party and guiding its direction.

With each year of the Reagan presidency, more and more people have come to call themselves Republicans. In 1985, according to the Gallup poll, 33 percent considered themselves Republicans and 38 percent Democrats, compared to 24 percent who called themselves Republicans and 46 percent Democrats in 1980. The Democrats have won the presidency only once since 1964. Ultimately, the Democratic presidential nominee in 1988 will have the greatest responsibility to set the tone for the party. But the speaker of the House will be more than a legislative tactician and taskmaster. He will help determine whether the Democrats are seen as the party that busts budgets or balances them equitably, merely raises taxes or makes them more just, favors guns over butter or preserves only the best of both.

Strictly speakering

The speaker does have the power to influence the legislation the House produces. "You can help set a tone, establish priorities, and can have access in a greater degree to what Teddy Roosevelt called the bully pulpit, where you can assert certain values," Jim Wright says. Because he has to deal with 435 different power centers, the

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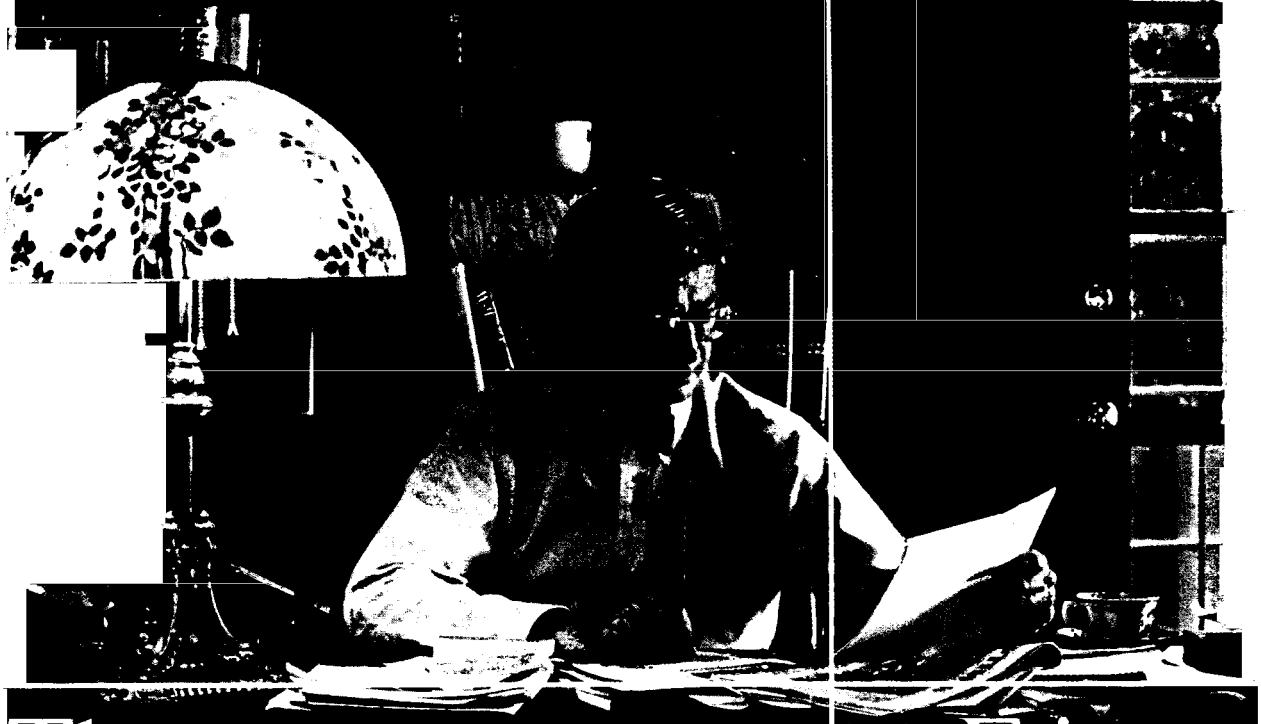
Mon.

Tue.



Thur.

Fri.

The week Newsweek readers began firing at Will.

The week was January 12th, 1976. The subject: "Knute Rockne for President."

It was George Will's first column for Newsweek. And as compared the histrionics of game speech to the hyste- pre-election politics, a generati readers was liar habit of reading our magazine backward. (From the back page, where George's column appears, forward.)

His witty, erudite style has earned him the respect and loyalty of a large (but split) audience: those who love him as well those who [illegible] him.

Greenfield, our other national-affairs columnist. Will hits on a wide range of subjects: from the future of American politics to the future of the Chicago Cubs.

His column is the continuation of one of Newsweek's boldest innovations: signed editions, a concept we began

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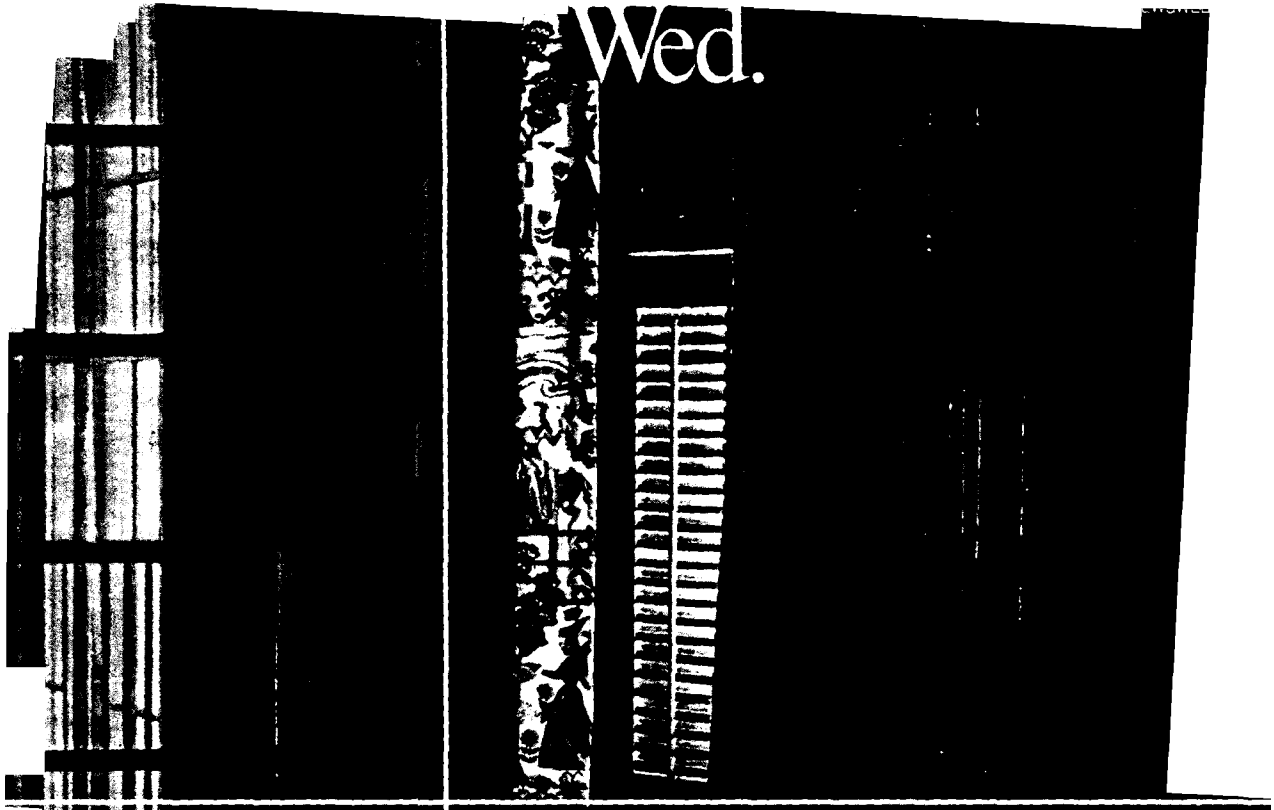

years as calm as Walter Lippmann and as impassioned as Stewart Alsop.

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and Greenfield have

garnered top honors. Both are Pulitzer Prize winners. And both have been notable figures in the National Magazine Awards.

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excellence in journalism. More than any other newsweekly.

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Newsweek

Why it happened. What it means.

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If Tip O'Neill seems like the sort of guy who would write out a taxpayer-endorsed check to everyone who tried to sell him swampland in Florida, Jim Wright seems more like the guy selling the land.

speaker's job is admittedly difficult. Unlike the strong speakers of the past, today's speaker cannot sit down with a half-dozen powerful committee chairman and decide what Congress is going to do. But in some ways the next speaker will have more power than the Nicholas Longworths or the Sam Rayburns; sometimes even they could be frustrated by uncooperative committee chairmen.

Ironically, it was the post-Watergate reform congressmen that brought statutory clout back to the speakership. The young reformers worked to reduce the power of the imperious committee chairmen and give newer members more say. Part of their strategy was to give the speaker more power. A strong speaker, they reasoned, would boost their own influence over the committee chairmen, since the speaker is chosen by all the Democratic House members, not just the veterans. Although the speaker must now contend with all members, he has been given more tools to do it. Committee assignment nominations, for example, are now made by the 31-member Steering and Policy Committee, on which the speaker controls ten votes and the gavel. Previously, committee assignments had been controlled by the independent Ways and Means Committee. The leadership-dominated Steering and Policy Committee also gets to choose the members of the Budget Committee, a centralized mechanism for controlling spending and taxing by the whole Congress. Following the defections of the Southern Democrats in 1981, O'Neill used this power to bump chief Boll Weevil Phil Gramm from the panel. Before 1975 the Budget Committee, let alone a budget process, did not even exist. Spending was determined largely by those all-powerful committee chairmen.

The speaker also appoints the Rules Committee, controls the schedule of bills that come up on the floor—a crucial power given the crowded legislative agenda—and can make use of the 63-person whip system to divine members' intentions. Finally, the speaker, in this age of mass communications, has great access to the media, and to whatever extent he can affect public opinion on an issue, he can influence members as well. In short, says former Rep. Richard Bolling, "Today's speaker is infinitely more powerful than anyone since Joe Cannon," the tyrannical speaker of the early 1900s.

O'Neill, for example, used his influence to prevent the Democrats from supporting a tax increase, and it was O'Neill who decided the Democrats would use Social Security as an issue in 1982. Although his approach to government can be undiscriminating, one has a sense that O'Neill believes deeply in politics as a means of helping people who are getting swept under society's rug. Rep. Norman Mineta recalls that when he and three other congressmen were trying to put together a Democratic budget proposal in 1983, they suggested limiting cost of living adjustments for Social Security recipients. This would have frozen benefits for both the impoverished elderly who are barely surviving and the wealthy recipients who don't need increases. "This is absolutely not going to be on the table at all," O'Neill told the group. "We are not going to digress from this point. This is a basic fundamental issue with Democrats, and we will try to embarrass anyone who takes a different position." They didn't digress.

Glad hand and greenbacks

Given the importance of this speaker election, it might seem strange that it was completed, for all practical purposes, on December 6, 1976. On that day, in a dramatic upset vote, the House chose Jim Wright to be majority leader. The late-to-enter Texan came in third on the first ballot behind two liberals, Philip Burton and Richard Bolling. On the second ballot Wright beat Bolling by two votes. Most observers agreed that if Bolling had made the runoff he would have beaten Burton. But Wright earned a shot at the third ballot, and when the votes for the third ballot were revealed, Wright had won by one vote. Ironically, it may have been Dan Rostenkowski, the powerful chairman of the House Ways and Means Committee and the most likely of the

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unlikely challengers to Wright's bid to become speaker, who boosted Wright into his slot. Rostenkowski, who was then one of Wright's floor managers, saw a member mark his ballot for Burton and asked, "Why did you do that?" The member responded, "Wright doesn't have a chance, but if you want me to vote for him, I will."

Aside from the malleability of that one congressman, why was Jim Wright chosen to be speaker-in-waiting? For one, he was able to use his position as ranking member of the House Public Works Committee to help members with their dams, highways, and canals. He could work with large numbers of his colleagues and prove his loyalty and affability as a deputy whip and chairman of a congressional campaign committee. He spent a great deal of time courting freshman members, campaigning and raising funds for them. The handshake, the campaign appearance, the help with the project; they brought in the votes. Then-freshman Rep. Barbara Mikulski, for example, voted for Wright because the conservative Texan "was very helpful to me in breaking the ice with the Baltimore business community. They felt I was a left-wing bomb thrower because of my populist background. And I was there when Wright needed me." Finally, as an easy-going, accommodating conservative in a race against two strong-willed, acerbic liberals, Wright was able to provide a distinct alternative.

Since that victory, Wright has used his position to win friends and influence people. He has moved to the left on a few key issues like the MX missile and aid to the contras, partially alleviating some liberals' concern that he is too conservative. He has forcefully presented the leadership's positions during the floor debate on the major budget and tax fights of the past five years. And he has even begun talking about the need for new ideas. "I think we need some creative and innovative solutions to tailor our solutions to the current problems," he says. But most important have been the personal touches—like giving his colleagues money and campaign help, a skillful combination of the glad hand and the greenback. More than three-fourths of the current Democratic members of Congress have received contributions from Jim Wright's personal political action committee over the past six years. The PAC is planning to distribute $350,000 in 1986 alone. Of course, it's good for the party to have well-financed candidates. It's also good for Jim Wright. Just as important to the members, though, are Wright's tireless campaign efforts on their behalf. Wright has made literally hundreds of campaign appearances for members. For example, he wooed Rep. Edolphus Towns by rescheduling a trip to Central America so he could appear at a fundraiser for the Brooklyn liberal. "Most people are looking for a process-oriented person," says Richard Peabody, a political scientist at Johns Hopkins who has studied several leadership races. "They want someone who is going to help them with their bills, help them campaign. And if you back it up with $1,000, that makes it more difficult to vote against him." Within days of Tip O'Neill's retirement announcement, Wright said he had 183 pledges. Now he has support from more than 200 of the 255 House Democrats.

Bills of Wright's

What kind of speaker will he be?

Almost everyone agrees that the "process-oriented" skills that brought him to his present position practically guarantee he will be effective at making the legislative machinery run efficiently. The doubts about Wright are in the realms of image and ideas.

As for image, if Tip O'Neill seems like the sort of guy who would write out a taxpayer-endorsed check to everyone who tried to sell him swampland in Florida, Jim Wright seems more like the guy selling the land. Like a high school student just taught how to use similes and metaphors, Wright piles syllable upon syllable to impress the listener. "In finest theory, [a politician gathers] up gleams of enlightenment from a multitude of human sources, draws them all together through the prism of his own personality, and then transmits them, concentrated, in a broader, brighter beam of inspiration for the whole community," the bushy-browed Texan said

Name a leading boondoggle of recent years, and you can be confident Wright supported it whole-heartedly.

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Most congressmen are using the same criteria for choosing a speaker that they always have: he helped me with a project, he campaigned for me, I like him, and he's worked hard at his current job. While those are good qualities for earning the Mr. Congeniality award, they are not the only ones the Democrats need in a speaker in the coming decade.

in one of his speeches. It is a style that has earned him a reputation as one of the best orators in Congress, but on TV it sometimes produces the same effect as professional wrestling: it's fun to watch but hardly believable.

Ideologically, Wright is more conservative than most members of his party. For example, in 1981—the year that separated the poll-watchers from the true-believing Democratic legislators—there were 75 votes in which a clear alliance formed between Republicans and conservative southern Democrats. Wright supported the coalition on 63 percent of those votes. Certainly there is nothing wrong—indeed there is much good—in having a Democratic leader who can see the merit in the conservative side of the argument. But a number of Wright's colleagues feel that he has too often adopted conservative positions that had little or no discernible virtue. He opposed the Civil Rights Act of 1965. He was an all-out supporter of the war in Vietnam almost to the end. More recently, he favored giving Reagan's Office of Management and Budget formal veto power over regulations, even those for health and safety, and he opposed strengthening a law requiring corporations to notify communities that they are being exposed to toxic materials. And Wright's conservative district will always keep him looking over his right shoulder.

Wright is clearly not a conservative, however, in his spending policies. "He's a guns-and-butter man," says Paul Burka, chief Wright-watcher for *Texas Monthly*. Name a leading boondoggle of recent years, and you can be confident Wright supported it whole-heartedly. From Synfuels to the Clinch River Breeder Reactor, from New York's Westway to the Tennessee-Tombigbee Waterway, Wright has been a consistent champion of wasteful projects. In fact, when Ralph Nader's Congress Watch took a look at nine important "waste/subsidy" votes, it found that Jim Wright was one of only six members in the entire House to vote for the huge subsidies on *every* vote. This is not a promising record for a man who would lead a party that is trying to rid itself of its reputation for reckless spending.

Wright does concede that defense spending must be controlled, but the way he would go about it is not reassuring. He proposes stretching out the appropriations so that the impact on the deficit each year would be less and the Pentagon could "monitor procurement actively." Ultimately the Pentagon would get everything it wants—and, with moderate inflation, at a higher cost. Moreover, the underlying defects in the system, including irrational procurement and retirement policies, will go unchanged, guaranteeing that waste will continue.

Here, as with his support of the boondoggles, Wright is out of touch with the more thoughtful elements of his party. Their position on defense is responsibly critical, carefully distinguishing between what the country does and does not need.

Democrats must also exhibit the same sense of discrimination when it comes to entitlements and social programs. Even Tip O'Neill has seen the need to defend Social Security for the poor while taxing it when it goes to the wealthy. Again, the importance of such distinctions does not seem to have occurred to Jim Wright.

On the critical issue of tax reform, Wright has also diverged from the progressive elements of the party. He opposed the reform efforts last year to eliminate or tighten many special-interest loopholes, including those of Texas oil and gas producers he has fought for throughout his career. Wright focused instead on revenue levels and tax rates, ignoring the fact that the very existence of most loopholes allows a steady drain of money from less wealthy taxpayers. The idea of tax reform, particularly of the Bradley-Gephardt bill that triggered the tax reform debate, is that everyone should forfeit his own selfish interest in order to bring about a greater good for the national community—a simple and fair tax code. His down-the-line support for oil

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and gas producers, although expected of a Texas congressman, has prevented him from voting the national interest on other occasions too. He supported, for example, using a regressive value added tax to finance Superfund instead of a targeted tax on the oil and chemical companies that put the toxic waste in people's backyards. Since the challenges facing the country in the coming years will require bold approaches and some sacrifice, Wright's opposition to tax reform and his persistent advocacy of gas and oil interests are also troubling signs that he won't be the kind of leader the party needs.

A freshman speaker

Speakership races have not always had foreordained outcomes. When William Pennington came to the House of Representatives in 1859 for his first term as a congressman from New Jersey he was virtually unknown both nationally and within the chamber. He possessed a certain dignity of manner but had no opinions of note or familiarity with the workings of the House. So his colleagues elected him speaker. Those were volatile times leading up to the Civil War and the members wanted above all someone who had done so little that he could not offend anyone.

Although the case of Pennington is particularly unusual, capturing the top spot was not a matter of simply getting one's foot on the leadership ladder, as Jim Wright has done. The speakership used to be a highly contested spot; positions on issues and within factions were more important than presence in a leadership structure. Before the twentieth century, the speakers served in the House an average of only seven years prior to taking the gavel, and the office held considerable power, most notably the right to make all committee appointments. So members realized their votes for speaker could significantly affect the balance of power within the chamber and ultimately the disposition of major issues like slavery. The decision on speaker was often bitterly contested, with elections requiring dozens, sometimes hundreds of ballots.

As the seniority system became entrenched early in the early 1900s, the only way to wriggle into a committee chairmanship and a House leadership position was to wait around and make friends. Nevertheless, there have been the gutsy ones who have tried to buck the system. Mo Udall challenged a sitting speaker, John McCormick, in 1968. He lost 178 to 58, but earned the respect of many of his colleagues. Wright himself defeated the sitting Majority Whip, John J. McFall, for majority leader. On the Republican side, Gerald Ford successfully dethroned Minority Leader Charles Halleck in 1965. In the Senate majority leader races in 1984, Republicans turned down Alaskan Ted Stevens, even though as majority whip he was nominally in line, because they thought Robert Dole would provide stronger, more independent leadership. So there is precedent to take on the powers and win. Now that the seniority system is withering, the speakership ought to be a contested position again. "I don't think there's any question Jim Wright can be defeated," says Bolling, who himself ran for the majority leader spot twice unsuccessfully. "The problem is putting together the coalition." And finding the person to put together the coalition.

Despite the warning signs in Wright's past, the only member making serious candidate noises is Dan Rostenkowski, the chairman of the tax-writing Ways and Means Committee. Rostenkowski picked up ground by shepherding the tax reform bill through the House in 1985 and could earn more points if he can pass a trade bill. But Rostenkowski looks progressive now only because his own political interests happened to coincide with the interests of the party in 1985. In 1981, on the other hand, in order to woo conservative Democratic votes, Rostenkowski tried to outbid President Reagan by shamelessly giving away tax breaks to big business. It was, Rep. Barney Frank declared, "The Vince Lombardi school of politics, where winning becomes the only thing." Rostenkowski, in the words of one liberal lobbyist, is as much of an "old-style hack as Wright."

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The busy, lazy, cozy and timid

But what about all those exciting young members who are supposed to lead the party into the future? Almost three quarters of House Democrats were elected since 1974. Couldn't they mount a challenge behind a bright, reformist politician who would better be able to present a coherent, modern vision of the Democratic party? This may be the only speaker's race for a decade or more. Isn't this the time for them to strike?

Well, it turns out that so far the rising stars of the Democratic House are too busy, lazy, cozy, or timid to run. About 30 of the newer members met in December of 1984 to discuss the faults of the party and its leadership. When word reached O'Neill and Wright, the ringleaders received verbal lashings—and a pacifier. The leadership agreed to make the Majority Whip post elective for the first time. So some of the young insurgents are gleefully running for a leadership post in which they don't actually have to challenge someone with power.

Those members who quietly wish Wright wouldn't be speaker bemoan the fact that there is no exciting alternative. They note that Al Gore went to the Senate and Tim Wirth is trying to follow him.

But that isn't the real reason other members are avoiding a challenge to Wright. If a group of Democrats, itching for a leadership change, decided they wanted to take on Wright, there are plenty of talented, politically astute, creative congressmen who could make good speakers. Members from across the political spectrum sing the praises of legislators like Richard Gephardt, Barney Frank, David Obey, and Bill Gray. The problem is that most congressmen are using the same criteria for choosing speaker they always have: he helped with a project, he campaigned for me, I like him personally, he's been around, and he's worked hard at his current job. But while those are good qualities for earning the Mr. Congeniality award, they are not the only ones the Democrats need in a speaker in the coming decade.

Moreover, dozens of congressmen simply have grown too comfortable where they are. Ironically, as a result of earlier victories that gave subcommittee chairmen more power, the young insurgents of 1974 are now the powerful subcommittee chairman of 1986. They have little reason to run for speaker, or for that matter even to have a strong speaker. They fought against the development of committee fiefdoms, but now that they are barons themselves the system doesn't seem so intolerable. They are resigned to Wright's winning and feel they have too much to lose by challenging him. As chairman of a major subcommittee or committee they can actually influence the course of legislation; as a failed candidate for speaker they may not be able to. "The power has sapped them of their revolutionary spirit," says Al From, executive director of the Democratic Leadership Council, which was set up to help the Democrats "rethink" their approaches. "The longer they're here the less likely they'll upset the apple cart."

> "I don't think there's any question Jim Wright can be defeated," says former Rep. Richard Bolling, who himself ran for the majority leader spot twice unsuccessfully. "The problem is putting together the coalition."

The odds of defeating Wright appear insurmountable. But they have a lot to gain by trying, and more to lose than they think by passing up the opportunity. House Democrats feel somewhat insulated from national political trends because they have been able to use the power of incumbency to protect their jobs. But if more and more voters continue to consider themselves Republicans, that security won't last.

Above all, if forward-thinking Democrats really believe their own rhetoric about changing the way the party operates, they have an obligation to do something about it. Will they seize the opportunity? Or will 1986 be known as the year the Democratic party had a chance to revise its old style of leadership but decided by default not to? As one staff aide noted, the effects of a genuine leadership change would be dramatic. "It would send shock waves through the place. The country would look around and say, 'What happened?' " It would see a party that not only talks about new directions and new leadership, but actually does something about it. ■

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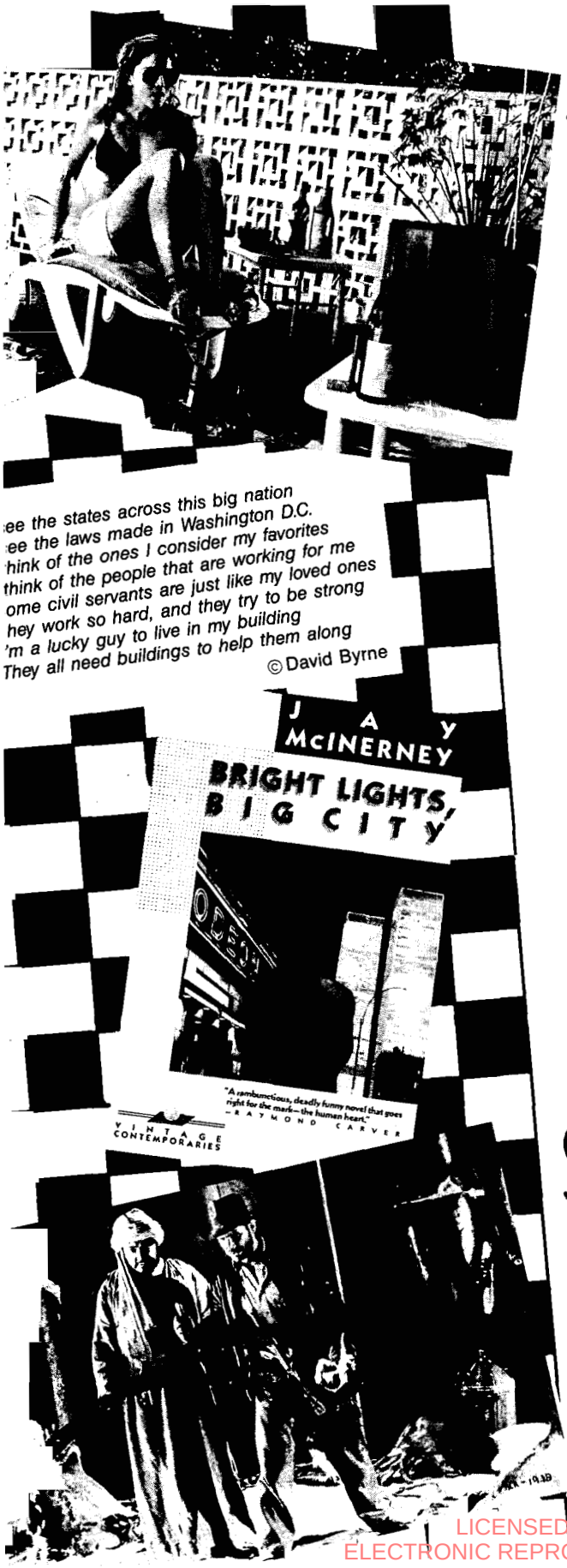

SELLING

by William McGowan

The deadpan humor of David Letterman, host of the TV show "Late Night," is enjoying a vogue. Letterman's on-air pranks have included spray-painting the ankles of Bryant Gumbel, the host of the "Today" show; crushing a franks 'n beans dinner under a hydraulic press; covering himself with Alka Seltzer and being lowered into a tank of water; and, most famously, inviting viewers to demonstrate "stupid pet tricks." Such put-ons have won Letterman a wide following (ad sales for "Late Night" are outpacing those of "The Tonight Show") and even a recent *Newsweek* cover story. The formula is simple: a slight raise of the eyebrow here, a mock-ponderous vocal inflection there, and suddenly the homely realities of everyday life acquire a tinge of the absurd. "We do a lot of what we call 'found comedy,' " Letterman explained to *Newsweek*. "Things you find in newspapers. Viewer mail. The fact that January actually *is* National Soup Month, so we're saluting soup all this month."

This new brand of minimalist irony has enormous and increasing appeal in our culture, and not just among viewers of "Late Night." Films like *Star Wars* and *Raiders of the Lost Ark* quietly burlesque the conventions of adventure serials of the 1930s even as they revive them. Rock stars like Madonna and David Byrne of Talking Heads mockingly defend materialism and conformity. Jay McInerney's novel, *Bright Lights, Big City*, satirizes but also glamorizes the New York night

William McGowan is a New York writer.

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life. Artists in lower Manhattan carry on the tradition of Andy Warhol's Campbell's soup can—at one gallery you can buy a silkscreen of a 99-cent grape jelly jar for $150—parodying mainstream culture through mimickry.

In this increasingly conformist age, such cultural artifacts might at first seem vaguely subversive, or at the very least, confusing. But even as we laugh at the new style of irony, it's easy to see that it's completely unthreatening. It may be fun to savor the little banalities, non sequiturs, and incongruities of American life, but when we fail to distinguish between what is truly ridiculous and what merely can be made to seem so, irony loses its bite. The result is something worse than a lot of sophomoric jokes and bad art.

Gray-flannel wink

If David Letterman can be said to have an antecedent in American fiction, it is Frank Wheeler. Wheeler is the antihero of Richard Yates's 1962 novel, *Revolutionary Road*. Columbia College, class of '49, director of sales promotions at the Knox Business Machine Company in New York, Wheeler discharges his "lazy duties" with a "secret astringent joy." Wheeler is a bohemian secreted inside a gray-flannel suit, a Connecticut suburbanite and World War II veteran in ironic rebellion against the tedium of his organization-man existence.

Revolutionary Road has not aged well in many respects; in particular, its 1950s view of organizational life seems caricatured today. But Yates's insights into the social type of the "ironic pretender" strike a surprisingly contemporary note. Wheeler runs everything in life on a double track, one for the acquisition of a paycheck and the lifestyle it supports, the other for his own amusement. Thus his job at Knox Business Machines, where his father toiled in lifelong obscurity, is "the very least important part of his life, never to be mentioned except in irony." Intelligent, thinking people, Wheeler believes, "hold the larger absurdities of deadly dull jobs in the city and deadly dull homes in the suburbs" at an ironic distance. That isn't to say they reject them; after all, one has to make a living. "Economic circumstances might force you to live in this environment, but the important thing was to keep from being contaminated. The important thing was to remember who you are."

Thus armed, Wheeler can savor the disparity between his real self and the mannequin he sends to work in the morning on the commuter train and home at night in the club car. He even takes perverse pride in "the gulf between the amount of energy he was supposed to give to the company and the amount he actually gave." The advantage of working at a place like Knox, he boasts to an old undergraduate chum, "is that you can sort of turn off your mind every morning at nine and leave it off all day and nobody knows the difference."

Yates's portrait of the ironic pretender reflected a significant new way of thinking about life in our society. Previously, wrote Lionel Trilling in *Sincerity and Imagination*, Americans had seen

OUT WITH A SMIRK

Lessons from David Letterman, Susan Sontag and David Byrne

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themselves as "wholly innocent and wholly sincere. . . singleminded in their relationship to things, to others and to themselves and avoiding the tendency to give themselves over to duplicity." Now a new edge had appeared. One indicator of the new sensibility was the increasing interest, first among intellectuals and then among the population at large, in camp.

In 1964, Susan Sontag wrote an essay titled "Notes on Camp." The term was just acquiring wide currency; indeed, Sontag wrote that she could find only one previous discussion of the phenomenon in print, in a relatively obscure Christopher Isherwood novel from 1954. Like Frank Wheeler's "secret astringent joy," camp, Sontag observed, was a private tongue for the disaffected. "Behind the straight public sense in which something can be taken," Sontag wrote, "one has found a private zany experience of the thing." Camp "involves a new, more complex relation to the serious." It was a way of asserting "that there is a good taste of bad taste," a truth Sontag found "very liberating." How could bad art be liberating? "It makes the man of good taste cheerful where before he ran the risk of being chronically frustrated. It is good for the digestion."

As camp sensibility trickled down to the popular culture during the 1960s and 1970s, it targeted a variety of well-known sources of indigestion. Certain questionable public figures—Lester Maddox comes to mind—came to be appreciated as absurd buffoons. The 1930s movie, *Reefer Madness*, once shown to high school children to warn them of the (ludicrously exaggerated) evils of marijuana, became a midnight favorite, shown in dark rooms filled with the pungent scent of cannabis. (When I went to see *Reefer Madness*, it was preceded by that other camp classic, Nixon's Checkers speech.) Old television shows, because they were often so laughably bland, became popular with camp audiences, and Buffalo Bob Smith, former host of "Howdy Doody," made the college lecture circuit.

Camp was nurtured, in part, by a counterculture that opposed mainstream values and reigning government policies (most notably, the Vietnam war). To a younger generation that had established its own culture on its own terms, the absurdity of camp targets was self-evident; rather than argue a case that was well understood, why not revel in the foolishness? During the past ten years or so, however, the counterculture has mostly disappeared, while the new ironic sensibility has continued to spread. "Tuesday Night Titans," a wrestling show, is the number-one-rated cable TV program in Manhattan right now. Staged down to the last grunt and groan, pro wrestling has won a loyal following among the beautiful people, including Cyndi Lauper, Andy Warhol, and even Geraldine Ferraro. Meanwhile, in *Desperately Seeking Susan*, a naive and drab housewife from New Jersey trades places with a calculating downtown hipster who proceeds to luxuriate by the pool, munch junk food, and otherwise engage in all the surface banality of the suburban lifestyle; of course there's no threat to the latter's integrity, since it's all done with irony. In real-life lower Manhattan, one boutique sells a vest with NFL labels and a shirt plastered with Budweiser labels; at another there's a wooden sculpture called "Wishing Well" that is adorned with plastic figures of an Eskimo pie, a flying cow, boy and girl astronauts, flowers, and tinsel. Last year *Rolling Stone* published a special issue to celebrate "The Age of Junk." Readers learned about phone sex, belly-flop contests, and a couple who held their wedding at McDonald's.

So bad it's good

Why did camp survive even after the counterculture had shriveled away? I think there are two reasons. The first has to do with the way camp reflected a national obsession with taste. In this tumultuous, upwardly mobile society, status-anxious Americans on their way up the ladder value taste as a crucial badge of class identity. A few years before Sontag's essay appeared, Dwight Macdonald had received much attention for his essay "Masscult and Midcult," which delineated the difference between highbrow and lowbrow culture. When Sontag announced the arrival of the camp sensibility, this sort of taste gamesmanship could grow more delightfully complex. To give us a sense of how complex, Sontag drew up a list of her favorite camp artifacts. Those of us who, tongue-in-cheek, have sent tacky postcards to knowing friends, can only pause in humble admiration as we contemplate Sontag's catalog:

Zuleika Dobson
Tiffany lamps
Scopitone films
The Brown Derby on Sunset Boulevard in L.A.
The Enquirer, headlines and stories
Aubrey Beardsley drawings
Swan Lake
Bellini's operas
Visconti's direction of *Salome* and *'Tis Pity*

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Sancho could understand all that was ridiculous about Don Quixote and still be ready to join the great knight in his crusade. But these days irony has become an excuse to avoid passionate commitment.

She's a Whore
Certain turn-of-the-century [!] postcards
Schoedsack's *King Kong*
The Cuban pop singer La Lupe
Lynn Ward's novel in woodcuts, *God's Man*
The old Flash Gordon comics
Women's clothes of the twenties (feather boas, fringed and beaded dresses, etc.)
The novels of Ronald Firbank and Ivy Compton-Burnett
Stag movies seen without lust

It should be pointed out that Sontag wasn't completely oblivious to the snobbery in this game. "The old-style dandy hated vulgarity," she wrote, but "the new-style dandy" could savor its camp value. "Where the dandy would be continually offended or bored, the connoisseur of camp is continually amused, delighted. The dandy held a perfumed handkerchief to his nostrils and was liable to swoon; the connoisseur of Camp sniffs the stink and prides himself on his strong nerves."

Snobbery and one-upsmanship tend to go hand-in-hand. In the case of camp, this one-upsmanship had the effect of causing more and more elements of our culture to be appreciated on the basis of "so bad it's good." You think "Leave It to Beaver" is campy? Well get a load of "Mayberry R.F.D."! I'll see your fast-food waitresses on roller skates and raise you my bowling shirt and Ray-Ban sunglasses. And so on. Few of us may be able to swap absurdities at Sontag's high-stakes level, but what the rest of us lack in refinement we've made up in volume. By now, what aspect of our culture *hasn't* been subject to a knowing wink?

But the arms-race quality to camp isn't the only reason it has outlasted the counterculture that helped foster it. It's also true that the detachment of an ironic perspective comes in handy when you're feeling uneasy about your actions. To put it more bluntly, a little irony makes it easier to sell out.

This point is made in a somewhat melodramatic way in *Revolutionary Road*. Toward the end of the book, Frank Wheeler's wife, who is pregnant, realizes that they've become trapped in their suburban existence. She tries to give herself a home abortion and dies. But Yates doesn't let her die before she's had a chance to denounce the double game they've been playing against the system: "Once you started it was terribly hard not to stop. . . .You found you were saying 'Yes' when you meant 'No' and 'We've got to be in this thing together' when you meant the very opposite. Then you were breathing gasoline as if it were flowers."

You don't have to live in the suburbs or work for IBM to know that a broadly ironic perspective helps make life's compromises seem trivial, and perhaps even inevitable. Indeed, one problem with the man-in-the-gray-flannel-suit critique was that it defined compromise through crude symbols: the commuter train, the fluorescent-lit office beehive, the ranch house with the lantern-bearing jockey out front. Now people with the best taste and the best jobs are using irony as an excuse to avoid passionate commitment to and responsibility for the organizations they work for.

When everything is absurd, there is a danger that nothing really will matter. Of course, it doesn't have to be that way. Sancho could understand all that was ridiculous about Don Quixote and still be ready to join the great knight in his crusade. A sense of one's absurdity can take the self-righteousness out of commitment and make it human. But these days irony seems to be a way of conditioning ourselves to accept the gap between our ideals and our deeds. As a result, we avoid responsibility for the kind of work we do and the kind of life we lead. ■

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MEMO OF THE MONTH

MEMORANDUM

UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202
OSERS/REHABILITATION SERVICES ADMINISTRATION

To: RSA Central Office Senior Staff
RSA Regional Commissioners

DATE: NOV 26 1985

From: Assistant to the Commissioner for Regional Operations

Subj: Use of Telephone Answering Machine

In order to relieve the workload on support staff and to assure that I receive telephone messages, I have purchased and installed a telephone answering machine in my office. The present machine uses a female voice to prompt messages and I hope it is more successful than the previous machine I had that used a male voice.

I returned the first machine in that the majority of calls received did not result in a message being left. My brief experience with the present machine leads me to conclude that parties calling me relate little better to the pleasant female voice which prompts messages. For when a message is indicated on the machine there is nothing there.

I'm sending you this memo to ask that you inform your staff that I have the machine and that like in the saying "When E. F. Hutton speaks people listen", they should "When the beeper sounds, please leave a message."

Thank you.

Fred C. Windbeck

NOV 29 1985

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TUNNELS TO NOWHERE

by Harrison Rainie

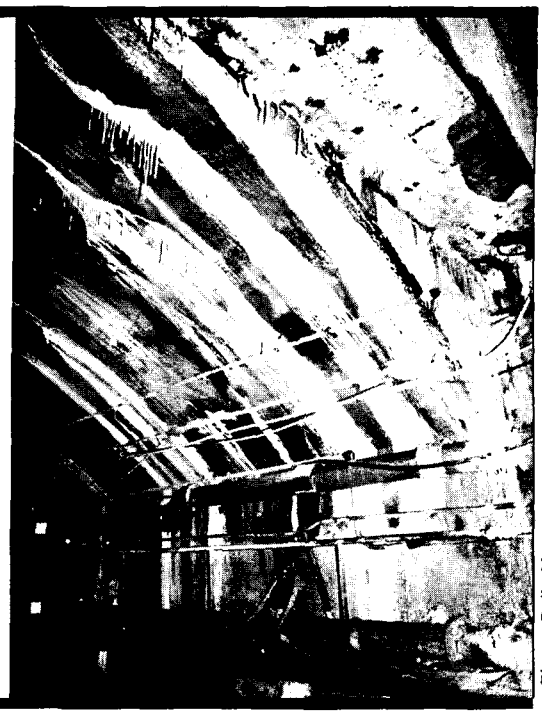

Photo: Daily News

In the fall of 1962 Robert Wagner Jr., mayor of New York, received a report from budget and transit experts on his staff that showed the subway trains in Queens were too crowded. The central portion of Queens County had experienced booming growth in the postwar decades, with the result that the E and F trains were being used beyond capacity. The report recommended that the subway be expanded in Queens. Wagner agreed with the findings and launched a project that was to become the biggest boondoggle in New York history, and a textbook case of government unaccountability.

Twenty-three years later, more than $1.23 billion of taxpayers' money—about two-thirds of it federal funds—has created two huge tunnels and a half-dozen holes in the ground stretching 6.5 miles across New York City. The tunnels are filled with rotting equipment. In some places they contain pools of water five-feet deep. Needless to say, they have not served a single rider, and it is entirely possible they never will.

What New Yorkers have taken to calling "Tunnels to Nowhere" began as a dream to build 52 miles of new subway tracks to carry more than 150,000 riders a day. Today, even under an extremely optimistic scenario—which assumes they will receive tens, maybe hundreds of millions of federal dollars from programs that are shrinking or nonexistent—subway service would be created for only 7,600 straphangers a day. The cost of providing this service would exceed fares by more than $15 million annually. To create a system serving even half as many riders as originally planned would cost another $200 million and perhaps as much as $1 billion, which is nowhere to be found. And to top it all off, many of the residents who would be served by a completed system don't want it anymore. For these and other reasons, it seems likelier that the tunnels will end up serving primarily as a direct route for rats and mice making their way across the East River. And because of the way this governmental misfire occurred, we won't even know who to blame.

Harrison Rainie is a Washington correspondent for the New York Daily News.

The 'Grand Design'

It was good politics, as well as decent public policy, to offer new mass transit service to the people of Queens in the mid-1960s. When Governor Nelson Rockefeller was looking for New York City votes to secure passage of a $2.5 billion transportation bond issue he wanted to float to redeem a 1966 campaign promise, he grabbed the only capital construction plan lying on the shelf of the New York City Transit Authority. Far from being a well-conceived program, it was a haphazard wish-list compiled by city transit planners who hadn't had anything to construct in more than 30 years. It not only included proposals for

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much-needed service to Queens but also called for building new stations or even entirely new lines in all but one of the city's five boroughs.

These were the days when people considered the subways a relatively safe and thoroughly effective way of getting around. So the prospect of having a new subway stop on the corner delighted voters and politicians alike, and encouraged planners to think big.

That was fine with Rockefeller and city officials, to whom bigness and boldness were the keystones of any program. Their go-getter spirit is recalled by Robert Kiley, now the chairman of the Metropolitan Transportation Authority: "The country and the city were still in a 'can-do' mood. 'Guns and butter,' 'growth and expansion,' 'government and progress' were unquestioned bywords for most Americans." The bond issue carried overwhelmingly. Some $600 million became available to the newly constituted Metropolitan Transportation Authority, the regional mass transit system. The planners and engineers, not used to having so much money, let their imaginations run wild.

They saw tunnels that would stretch the entire length of Manhattan, all the way to the Bronx. Another set of routes would lie perpendicular to the Manhattan line, with a tunnel under the East River at 63rd Street and subway tracks sprawling across the entire length of Queens, the city's largest borough. Throughout central Queens, residents would have a new convenient way of getting around the borough and to Manhattan. They estimated that 150,000 New Yorkers would ride the new lines daily, and it would cost only $1.3 billion, a modest price considering the substantial improvements to the system.

But even for those pre-1970s-inflation days, the estimates in the appropriately named "Grand Design" document were laughably low. In part, this reflected a tradition that had been established by the city's master builder, Robert Moses, of low-balling construction estimates. Moses had a simple two-phase building formula: 1) coax your bosses and the public to support major initiatives by deliberately underestimating the cost; 2) get part way through the project and drop the bombshell that much more money is needed. Confronted with the choice of paying huge sums more to finish the work or seeing the original expenditures wasted, the public had always chosen to go ahead.

But the low estimates also reflected simple ignorance. The planners really had no idea how much a large-scale project would cost. Within three years the price tag ballooned from $1.3 billion to more than $3 billion, while the original plan for 13 routes and 52 miles of track was scaled back to 11 routes and 30 miles of track.

By late 1974 only four miles of subway were under construction, and, given the bureaucratic maze through which all plans had to travel, even that was a miracle. The program still needed preliminary design, final design, land acquisition, and construction and equipment contracts for each line section. For each portion the city had to get approval not only from divisions within the MTA but also from the Urban Mass Transportation Administration (which dispensed federal funds) and 17 other local, regional, and state agencies. Everyone from the city council to the state Department of Transportation was involved. In one case, a local community board representing a posh section near Central Park held up construction of a ventilation shaft for months because of fears that the construction work would ruin the neighborhood.

The $200 million drawing

Then came New York City's fiscal crisis. As late as July 1974, Mayor Abraham Beame and Governor Malcolm Wilson had donned hardhats and manned jackhammers to break ground for the fourth segment of the Second Avenue subway, a line that was supposed to provide north-south service on Manhattan's East Side and link up to Queens. But fewer than four months later, when the city realized the fiscal mess it was in, Beame pulled the plug on the Second Avenue subway, leaving abandoned tunnels all along eastern Manhattan. The mayor and MTA chief David Yunich decided that the city couldn't afford to squander precious capital dollars on a new subway while the existing system was crumbling. The total cost of the three holes that are the remains of the Second Avenue subway: $99.6 million. Total use: zero.

Although the decision to rein in the "New Routes" program was entirely rational, how they decided to do it was not. It did make sense to emphasize the Queens lines—63rd Street tunnel and Archer Avenue—over those of other boroughs. Those had already been started, the need in Queens was the greatest, and the city had taken care of much of the land acquisition and utility right-of-way problems. In addition, because they could be completed the fastest, the city could quickly start collecting those extra fares. But they made one fatal error. They assumed that the city would have several hundred million dollars left over after the other lines were completed to build the critical Queens Bypass. Without that connec-

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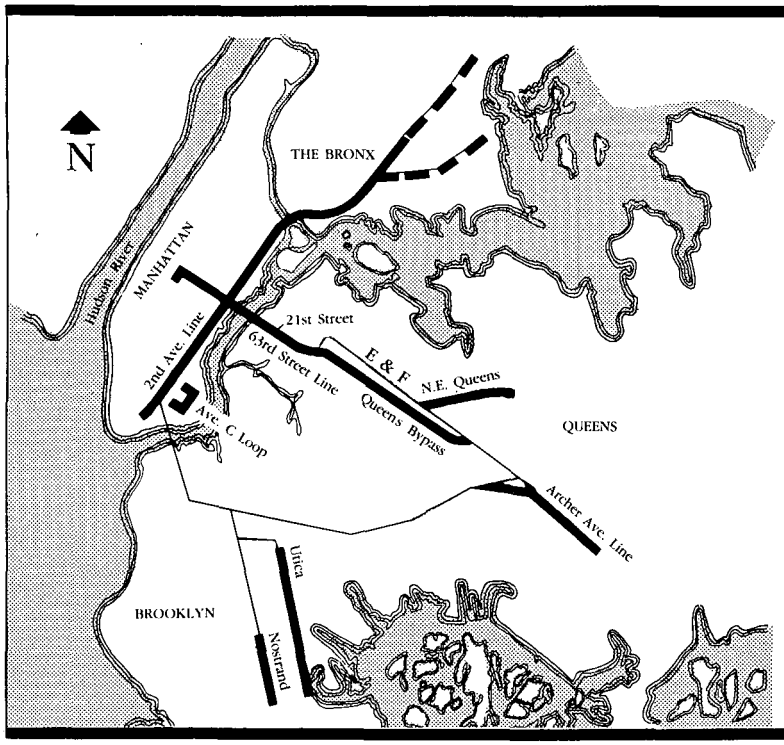

1968 Grand Design

The thick black lines represent the Metropolitan Transportation Authority's proposed new subway routes, including what were then much-needed routes connecting Manhattan to Archer Avenue in Queens. The thin lines represent existing subway routes, including the crowded E and F trains. By 1985, all the new routes except the Archer Avenue and 63rd Street routes had been abandoned. The 63rd Street route, if it is finished, will end at 21st Street, which does not connect up to any subway trains. A "Local Connection" from 21st Street to the E and F trains would cost $222 million.

Map by Susan Stevens

tion between east Queens and the end of the 63rd Street line, there would be no express train by which those Archer Avenue travelers could cross the borough or get to Manhattan—the main point of having the new routes in the first place. Officials thought they had enough money in hand or enough coming in from the federal government to build the 63rd Street tunnel, the Archer Avenue line, *and* the line that was to connect them. But they so bungled the construction and planning of the New Routes program that there may not be enough to finish the first two, let alone the third. So the connecting line is still just a $200 million drawing in a planner's notebook.

That is doubly troublesome, because as the project dragged on, the MTA restricted the reach of the 63rd Street line, thereby making the nonexistent cross-Queens connection even more important. Originally the 63rd Street line was to reach all the way to Northern Boulevard, deep inside the most populous part of the borough. But in 1981 it was scaled back to 21st Street, a relatively desolate part of the city. The farther west the 63rd Street line's terminal moved, the fewer passengers it could pick up and the more isolated the Archer Avenue line became. Now, if and when the two lines operate, they will carry only 7,600 riders daily instead of the 70,000 it would if they were linked together.

Ironically, however, with the passage of time, leaving a huge chunk of Queens out of the system has come to be a popular idea in Queens. Over the past 20 years, Queens residents, like all New Yorkers, have come to hate their subways. Instead of bringing them closer to the rest of the city, the subways, they believe, bring the worst elements of the city to them: graffiti, crime, dirt, and undesirables. From 1965 to 1985 citywide daily ridership dropped by more than a million. By the early 1980s, the people of north and central Queens were in revolt against the MTA's plan to connect the 63rd Street line with Archer Avenue. The white middle-class residents, who were supposed to be the beneficiaries of this subway construction, flocked to meetings and protests because they feared the expanded service would bring, as one Rosedale mother put it, "black criminals into our neighborhoods."

The delays and cost overruns involved in building a subway connection that nobody wanted ultimately was a frustration to more than just New Yorkers, because the federal government was involved, too. The New Routes program soaked the federal treasury for hundreds of millions of dollars. Between 1975 and 1985, the federal government spent $400 million on top of the $350 million it had already spent for the two routes, which originally were supposed to cost a total of $283 million and be completed in 1978. The feds would have to spend at least $75 million more before the two lines could open. Why was New York unable to build those two routes quickly and on

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budget? One answer can be found in the almost comic wrangling within the MTA.

The 'Beame shuffle'

Imagine three inefficient bureaucracies that refuse to talk to each other, and you've got a pretty accurate picture of the MTA. It is divided into three distinct functions: project planning, design, and construction. As a project advanced through each of these phases, the work fell under the responsibility of a different deputy to the chief engineer. For the contractors that meant the people who designed the New Routes program did not talk to the ones responsible for building it, who in turn did not communicate well with the folks who were supposed to operate and maintain the final product. This noncommunication resulted in interminable delays, costing tens of millions of dollars.

The chaos made it easy for contractors and their employees to manipulate the system for maximum delay, and, in most cases, extra profit. A March 4, 1985 memo from a Transit Authority engineer described how one contractor working on two lengthy sections of the 63rd Street tunnel asked for payment for 809 days' worth of extra work—at costs ranging from $2,000 to $10,000 per day—because it experienced 36 different kinds of delays during the four years it was on the job. Frequent labor strikes were a particular problem.

Another reason for the delays and cost overruns was what came to be called the "Beame shuffle." Beame decided there was another important use for federal construction dollars—as operations subsidies to save the city's 35-cent subway fare. The fiscal crisis was threatening a major fare hike, which is the top "thou shalt not" in the city's political religion. And 1975 was an election year. In fairly short order, Beame convinced members of the New York congressional delegation to push legislation allowing him to "borrow" federal capital funds and use them to offset the Transit Authority's operating deficit (and to hold the fare) as long as the city promised to spend its own funds to replace the federal funds.

It worked, some say, too well. The fare remained constant for a while, but $281 million was diverted to prop up an unrealistically low fare, and the spending of capital dollars to repair the decrepit system was reduced. The diversion of capital slowed the progress of the New Routes and allowed inflation to increase the costs.

No public works disaster would be complete without a dash of corruption. It now appears contractors may have siphoned off some of the money as well. Evidence of possible fraud has centered on the Schiavone Construction Co. and its onetime executive vice president Raymond Donovan—Ronald Reagan's former secretary of labor. A Bronx grand jury has charged Donovan and his former business associates with defrauding the Transit Authority of $7.4 million by overstating payments to a minority-run subcontractor.

As the building progressed, the job of overseeing the completed work became harder. There just weren't enough warm bodies to check all 250 miles of existing subway tracks *and* monitor the new segments. Consequently, there took place a curious kind of anti-turf battle over who would provide the maintenance for the new lines. Contrary to the classic model of bureacratic warfare in the Pentagon, where services battle to see who can "win" responsibility for certain jobs, the MTA bureaucratic wars were devoted almost exclusively to *avoiding* new responsibilities. The engineers didn't want to do the maintenance work, nor did the operations and maintenance crews. Through the mid- to late seventies there was a war of memos on this issue that ended when the operations folks scored a knockout by declaring that they'd be happy to do the overtime work, but only at overtime pay rates. The cash-strapped MTA had no choice but to assign the work to the engineers, who were not up to the job. A large number were graduates of non-accredited engineering schools. Also, many were foreigners with so little grounding in English that they had difficulty communicating with contractors and others. "From top to bottom, the engineering department was staffed with people out of their league," said one New York transit expert. "They enjoyed the comfort and safety of the civil service and they were constitutionally incapable of making waves or asserting themselves, especially in cases of manifest trouble." In late 1983 the MTA decided to shift the responsibility to its own operating department, but after inspecting the tunnel, the operating department officials refused the assignment because it required too much work. That left the beleaguered engineers again in charge of the job.

With all this bickering, it's hardly surprising that the MTA managed to botch much of its construction work. Last year, for example, inspectors found that one of the major crossbeams in the 63rd Street tunnel had been placed too low to allow subways to pass, and the contractor, with the approval of only middle-level engineers, simp-

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ly sliced off enough of the beam to create sufficient headway. The dispute continues about whether this compromised the tunnel's "structural integrity" (that's industry jargon for whether or not it's going to fall down). They also found stalactites hanging from the cavern-like ceilings and the aforementioned five-foot-deep puddles of water. A leaky ceiling in the tunnel's signal room, which contained the electrical lifeline to the system, left the floor covered with six inches of water and helped corrode and cripple important signal and switching equipment. Pumps and ventilation equipment had mysteriously disappeared.

A federal audit last summer revealed that concrete for the tunnel had been mixed and poured on hundreds of occasions with no inspection or testing. The investigation concluded that there is "no assurance" that 200,000 cubic yards of concrete in the tunnel is safe. Tests showed deficiencies in ten places, and there is no evidence the Transit Authority tried to correct them. A private consultant subsequently concluded that the tunnel is safe. But there is no ready explanation why the inspections were omitted, save that the engineering department was too overworked to do them.

UMTA Dumpta

The only thing more incredible than the status of the tunnels is the fact that nothing was done about it for so many years. David Gunn, president of the New York Transit Authority, the City portion of the mass transit system, recalls that he and and Metropolitan Transportation Authority Chairman Robert Kiley were briefed in April 1984, soon after they assumed their jobs, by the top engineers, who casually recited the history and current status of the program, citing no problems and confidently predicting that the system would go on line by the end of the following year. "In the months that followed, as the operating departments were preparing to take over the operations of [the tunnels], I began receiving a much different assessment than had been provided me by the engineering department," Gunn says. Finally he found himself reporting to MTA board members that "we have a disaster on our hands."

Why didn't the bad news reach the bosses earlier? Part of the reason is that no one really pressed to find out its status. Each time officials with the power to shut the project down sought an accounting, the engineers, more out of timidity than confidence, predicted the problems could be ironed out, and the planners insisted that the need for new subway service was still great. In those cases where conscientious officials warned about developing problems, their supervisors ignored the pleas. The MTA's files are filled with plaintive cries dating back to mid-1972 on problems with water leakage and the handling of concrete. Most of these problems were slated for consideration "at a future date."

More than $1.2 billion of taxpayer's money has created two huge tunnels and a half-dozen holes in the ground filled with rotting equipment and pools of water five feet deep. They have not served a single rider, and it is entirely possible they never will.

Beyond this unwillingness to pass along bad news, however, there were other, more novel reasons to forge ahead despite the problems. One was that federal law gave the Urban Mass Transportation Administration the authority to demand a full refund of the federal construction aid if the lines were not put into service. It is certainly reasonable to guarantee that federal tax dollars be used productively, but in this case, even though the provision had never been invoked, it produced a special lunacy that made it unthinkable for local officials to stop construction.

Unbelievable as it might seem, the entity that lost the most—the federal government—also thought it unnecessary to stop this flow of good money after bad. Only last summer did UMTA question how more than $800 million of its funds were spent. "I kept hearing how bad the situation was, so I got my staff together one day and asked, 'How did this happen?' " said UMTA administrator Ralph Stanley. "If you can believe it, they couldn't tell me. Their final answer was, basically, that in the seventies, UMTA grant managers didn't feel it was their business to question local priorities. 'If the locals want the subway and it meets our criteria for building, then we go ahead and pay for it,' they said. Our business was to shovel out money without any question about

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'Public agencies need the discipline of the ballot box,' says New York state comptroller Edward Regan. 'What the passengers of our subway system need is somebody to vote against when things go wrong.'

whether it was the best use of transportation dollars."

It didn't help matters that UMTA had only two engineers for the entire New York-New Jersey region to oversee the tunnel construction. The few inspections they conducted often were hardly rigorous and often preannounced. It wasn't until last summer that UMTA finally suspended payments to New York for the tunnels.

New York also had one final powerful incentive to proceed. Most of the construction contracts were locked in by late 1975. When the MTA's chairman, Richard Ravitch, asked aides to analyze the future of the New Routes construction in 1979, they reported back that penalty clauses in the contracts and the cost of physically shutting off the tunnels would make stopping the project just as expensive as continuing it.

Ravitch did reform parts of the MTA's cost-accounting process and steered the system toward an emphasis on refurbishing the existing system, rather than adding to it. He left it to his successor, Robert Kiley, to figure out the ultimate fate of the tunnels. After five years of debate, the MTA decided to build a "Local Connection" for $222 million to hook up the 63rd Street tunnel to already existing local subway tracks. One problem: there is no longer any money to build the Local Connection. The MTA says it won't spend its own cash on it and hopes the funds will come from UMTA's "New Construction" kitty. But the Reagan administration budget cuts and the reluctance of UMTA's Ralph Stanley to toss more money New York's way have made that a hopeless option for now. Without the connection route, MTA officials may decide ultimately not to open the 63rd Street tunnel or Archer Avenue, even though much of the construction is completed. A consultant is expected to report within a few weeks on how much money it would take to get them running. MTA officials may decide that since they would continually lose money on the routes, they might be better off steering whatever capital money they can find toward the existing subway system and leave the new routes closed. Unfortunately, even then, the MTA's problems won't be over: it still may have to figure out a way to pay back UMTA.

The unstoppable buck

The overriding moral of this tunnel tale is the importance of accountability. At every stage someone was saying, "It's not my problem." From the maintenance crews to the federal officials, the buck didn't stop anywhere. The incentives to proceed were so strong they overwhelmed all common sense.

The new MTA bosses have taken a step towards imposing some internal accountability. They have created 28 subdivisions in which one person's job is on the line if the work is not done well. But that does not address a more fundamental problem of who's in charge. The MTA is insulated from the political world. Its governing board is made up of appointees designated by the governor, mayor, and suburban officials from areas covered by MTA services. No one appoints a majority of the board members, and when everybody has a piece of the action, no one is finally responsible to the voters or their representatives.

"When things go wrong, New Yorkers have no one to complain to, no one to hold publicly accountable for the failure of the transit system," says state comptroller Edward Regan. "If New Yorkers are unhappy with the way their transit system is operating, whom should they punish? More specifically, whom should they vote against? Public agencies need discipline, the discipline of the ballot box. What the passengers of our subway system need as much as anything is somebody to vote against when things go wrong and somebody to vote for when things go right."

One of the earliest acts of New York Governor Mario Cuomo in 1983 was to ask the state legislature for the power to appoint a majority of MTA board members. But every constituency with a say in MTA affairs objected on the ground that it would dilute their "authority." The city feared it would lose clout to the suburbs and vice versa. So Cuomo retreated. Perhaps he's quietly relieved. What politician would want his tombstone to read, "He created the tunnels to nowhere"? ■

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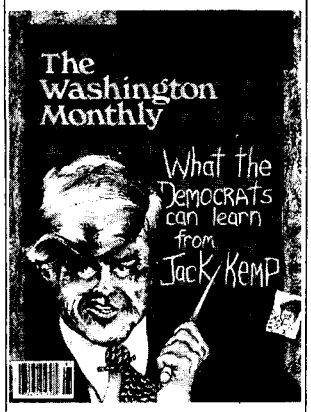

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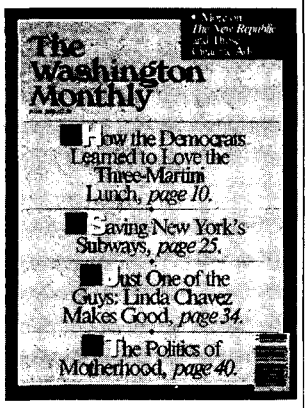

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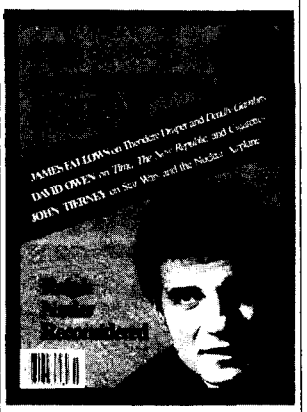

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WM36

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WHO'S WHO in the Administration

In the White House battle over the State of the Union Address, the principal players on one side were **Patrick Buchanan**, **T. Bentley Elliot**, and **Josh Gilder**, who wrote the hard-line conservative first draft, and, on the other, **Donald Regan**'s aides, **Alfred H. Kingon** (nicknamed "Klingon" by his enemies, after the bad guys in "Star Trek"), **Dennis Thomas**, and **David Chew**, who favored tempering what they regarded as the speech's rhetorical excesses. This time around, the Buchanan team won. But their victory fell well short of a knockout, and White House insiders predict that the Regan team will retain the key power positions. In the future they will win more battles than they will lose. Thomas is an enemy that Messrs. Buchanan, Elliott and Gilder would be especially prudent to fear....

Thanks to Secretary of the Navy **John Lehman**'s inflexible commitment to building a 600-ship Navy, it is increasingly evident that the Navy won't be able to pay for much-needed training, ammunition and spare parts. Critics raise the spectre of $3.5 billion aircraft carriers without planes to take off from them....

The troubled IRS is looking for a new chief now that **Roscoe Egger** has announced his departure in April. Egger certainly had his problems with his agents disposing of masses of returns and with the now well-known computer snafus, but it is hard to imagine how things will improve at the IRS under any new commissioner. Already strapped for cash, the agency is headed for more cuts under Gramm-Rudman. So don't hold your breath for that refund....

Trouble also continues at the Commission on Civil Rights. It seems that Chairman **Clarence M. Pendleton Jr.** has had to resign from the San Diego County Local Development Corp., of which he was president and chairman of the board, because of criticism of the fact that his aide at the commission, **Sydney I. Novell**, had been given, at Pendleton's instigation, a lucrative contract with the non-profit corporation. During nearly two years of association with the San Diego firm, which helps businesses prepare loan appplications for the Small Business Administration, Novell made more than $110,000, all the while retaining her position in Washington, which paid her $41,328 in fiscal 1985. Note that Pendleton resigned in March 1982 from the presidency of the Urban League in San Diego amid charges he mishandled funds....

After a mere 24 days on the job, **Lee L. Verstandig** is quitting as **Nancy Reagan**'s chief of staff to work for **Michael K. Deaver**, who was his sponsor for the White House job. Not only had Verstandig's arrogance angered the entire East Wing staff, he wanted to make a female friend his special assistant at $60,000 a year, more than most of the staff makes. Nancy said no. Verstandig kept nagging. Nancy finally called up Deaver and said you gave me this guy, now get him off my hands....

In

WHITE HOUSE

Deputy Director, President's Commission on Defense Management—**Paul S. Stevens** has been general counsel.

Acting Director, Office of Science and Technology and Acting Science Adviser—**John P. McTague** has been deputy director.

Director, Office of Congressional Affairs—**William L. Ball III** has been Assistant Secretary in the State Department Office of Legislative Affairs.

AGRICULTURE

Secretary—**Richard E. Lyng** was deputy secretary from 1981-84.

COMMERCE

Assistant Secretary for Economic Development—**Orson G. Swindle** has been Georgia state director of the Farmers Home Administration.

ENERGY

Assistant Secretary for Environment, Safety, and Health—**Mary L. Walker** has been deputy solicitor at the Department of Interior.

STATE

Ambassador to Venezuela—**Otto J. Reich** has been coordinator of public diplomacy for Latin America and the Caribbean.

Out

WHITE HOUSE

Director, Office of Science and Technology and Science Adviser—**George Keyworth III** will form a consulting firm in Washington.

Director, Office of Congressional Affairs—**M.B. Oglesby, Jr.** will join the lobbying firm of Stuart K. Spencer.

ENERGY

Assistant Secretary for Environment, Safety, and Health—**William A. Vaughan** will join the Washington law firm of Sutherland, Asbill and Brennan.

TREASURY

Assistant Secretary for Legislative Affairs—**Bruce E. Thompson Jr.** will head the federal relations office in Washington, D.C. for Merrill Lynch and Company, Inc.

AGENCIES AND COMMISSIONS

Chairman, Federal Regulatory Commission—**Raymond J. O'Connor** has resigned.

Commissioner, Internal Revenue Service—**Roscoe L. Egger Jr.**will resign in April.

Administrator, Small Business Administration—**James C. Sanders** has resigned.

Administrator, Veterans Administration—**Harry N. Walters** has resigned.

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TAKE THE MONEY AND RUN

by Joseph Nocera

A year ago, *The New York Times Magazine* ran Ken Auletta's gripping, two-part series on the fall of the storied investment banking house, Lehman Brothers Kuhn Loeb. There were many surprising things about the series, not least of which was that it was published in the *Times* magazine, which over the years has become legendary for getting it last and making it boring. But these stories were everything the typical *Times* magazine story is not: they were richly detailed, full of fresh and interesting facts, and had a narrative so compelling you could not help but turn the page to find out what happens next.

Everyone who cares about such things knew that Lehman Brothers, for over a hundred years one of the half-dozen most prestigious houses on Wall Street, had serious problems towards the end of its life. Those problems had led finally to Lehman's much-lamented shotgun marriage with the much bigger, but infinitely less prestigious, Shearson/American Express (since renamed Shearson Lehman Brothers) in April 1984. Many of those problems had been alluded to, more or less coyly, in newspaper accounts at the time of the merger of the two firms.

Auletta's series, however, was anything but coy, and that was surprise number two. Most businessmen, investment bankers included, take seriously the ethos of "damage control." When there are internal problems, you issue a press release that puts the best face on things, and then quickly shift into stiff-upper-lip mode. Oh, maybe a few Hollywood types might blab to a reporter—*Indecent Exposure* comes to mind—but most ly, if you have to talk to the press, you dust off your platitudes and duck the hard questions. Auletta not only got the Lehman Brothers principals to talk, he got them to absolutely sing. No pertinent corporate document was denied him. No Lehman Brothers partner or associate turned down his persistent requests for interviews. Many of them sat for multiple interviews and recounted with stunning candor who did what to whom, and what was going through their minds while it was happening. This is especially true of the two central characters of the story, Pete Peterson and Lewis Glucksman, the co-CEOs of Lehman Brothers, whose distaste for each other was the spark that led to the eventual collapse of the house. Precisely because of this astonishing level of candor, the stories were the talk of Wall Street, which eagerly devoured every morsel of delicious, venomous gossip. And they were readily consumed by a large non-Wall Street constituency as well, for they illuminated, to an amazing degree, the ethics and mores of an investment banking house, ethics that revolved largely around—surprise number three?—simple greed. On second thought, maybe that's not so surprising, though it does make you wonder about the state of things on Wall Street that the participants would fess up to it so readily.

Now comes the inevitable book, baldly titled *Greed and Glory on Wall Street*,* and the first thing you realize is that while it is a very good piece of work, telling a story that remains absorbing and even important, it is not quite the page-turner the magazine stories were. Investment banking plays a crucial role in American business and always has, and the evolution of that role—from genteel profession to cutthroat business—serves as the backdrop for Auletta's story. But somehow some of the high drama that infused

Joseph Nocera is a senior editor of Texas Monthly *and a contributing editor of* The Washington Monthly.

**Greed and Glory on Wall Street: The Fall of the House of Lehman.* Ken Auletta. Random House, $19.95.

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the *Times* articles got diluted when the material was expanded into a book; maybe that's simply because, having read the magazine pieces you already know how the plot will unfold.

Having said that, however, it must also be said that some of the drama was lost for an altogether admirable reason. At every turn, Auletta refused to hype or distort or otherwise stretch his material in order to heighten the suspense. In the introduction to the book he writes, "I have tried to put together the pieces of the Lehman puzzle without resorting to journalistic shortcuts and the air of omniscience that infects much of the new journalism. At the risk of 'slowing the narrative'. . . I have used only the words actually given to me directly in interviews. . . . I have invented no dialogue." A small point, perhaps, but in this age of omniscient reporting and "recreated" dialogue —why does *Indecent Exposure* spring to mind again?—it is important to be reminded that memories of even the most crucial events tend to differ among the participants and that life is never as seamless as a journalist would like it to be. There is no question that Auletta's willingness to give every differing recollection its due—the book is studded with footnotes and paragraphs offering contrary explanations for different events —slows down the telling of his tale. But *Greed and Glory on Wall Street* has to make you forever suspicious of the seamless, you-are-there quality of books like, well, *Indecent Exposure*.

What particularly distinguishes *Greed and Glory on Wall Street*—what makes both book and magazine versions a model for business journalists—is Auletta's instinctive understanding that the key to first-rate business reporting has very little to do with profits or annual reports or numbers of any kind. Rather it has to do with people—with the interplay of personalities, with emotional and psychological factors, with what you might call the "soft" side of life at the office. Indeed, the weakest part of the book is Auletta's attempt to explain the intricate financial details of the merger with Shearson/American Express. But it scarcely matters, because on the things that count—things like motives and ambitions, conflicts and internal politics, and the environment that a group of people who work together create for themselves—Auletta's reporting is faultless. And it is these human elements that are his true subject matter in *Greed and Glory*. Early on he writes, "[H]uman folly and foibles—not the bottom line of profits, not the business acumen, not scientific management or the perfect marketing plans or execution—often determine the success or failure of an organization." Thus it was at Lehman Brothers Kuhn Loeb, and thus it surely is at most any place in America where two or more people have gathered together to make a profit. When business writing fails, it is almost always because of the failure to appreciate this most fundamental insight.

Ah, but rare is the business reporter who has as much human folly to work with as Auletta had at Lehman Brothers. There was, to begin with, the culture of the place, which was almost pathologically self-destructive. "Investment banking had been changing from a business based in large measure on personal relationships," Auletta writes, "to a business based on a variety of transactions and an instinct for gambling on interest rates in stock market shifts and the invention of new financial instruments." To put it another way, a business that had always been the quintessential old-money establishment profession, a profession in which connections are the most important asset and lunch the most important part of the day, was being transformed into just another tough business, in much the same way that the nation's law firms had been transformed by a newly demanding marketplace. Every investment bank, no matter how old or prestigious, had to adapt or die; but in some of the oldest firms, the changes that had been forced on them had led to tensions that can be described only as class resentments. For instance, the changes had led to a new breed of investment bankers called "traders," who made money (or lost it) by risking the firm's capital in arbitrage and the securities markets. In the world of investment banking, they were considered the parvenues. The old guard—the Wall Street elite who looked down their noses at the traders—were the "bankers," who carried out the traditional functions of an investment bank: advising a company on acquisitions, underwriting stock issues, and so on. The bankers still had to hustle for business to a degree that would have been unimaginable even two decades ago, when the bond between a banker and his client was thought to be unbreakable (ha!); nonetheless, they liked to think of themselves as several cuts above their trading brethren.

At most firms, this tension was manageable. But not at Lehman Brothers. Lehman Brothers absolutely seethed with tensions and resentments and backbiting and bitterness. The traders made most of the profits at the firm; yet the bankers held most of the top management positions. The traders felt they worked the hardest; yet the bankers got the most obscene of Lehman Broth-

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If the demise of Lehman Brothers proves anything, it is that people have to have more at stake in an enterprise than money. When greed is the only glue binding an organization together, sooner or later that organization is going to fall apart.

ers' obscene bonuses. Lehman Brothers was founded by Jews, yet the Jewish traders (Glucksman especially) felt at arms length from the snobbish blue-bloodedness that permeated the banking sections of the firm. Pete Peterson recalled for Auletta how difficult it was to force the bankers even to share the same building as the traders. (Until 1980, the two divisions had operated out of different quarters.) "They [the bankers] found them [the traders] a lower form of species," Peterson said. "Those guys over there were referred to as 'animals,' as crude.'. . ."

Part of the problem, as Auletta astutely points out, was that there was no sense of shared enterprise at Lehman Brothers. For years the firm had encouraged a go-it-alone ethic among its bankers, who saw themselves as independent entrepreneurs who did deals not for the greater glory of the firm but for the greater glory of themselves. Partners often saw themselves in competition not with Goldman Sachs but with each other. The idea of "fairness," though much talked about in the abstract at Lehman Brothers, was about as foreign a concept among the partners as, say, socialism. What mattered was not whether profits were distributed fairly but whether "I got mine." Thus the definition of fairness became whether my bonus was larger than yours. That this ethic created an extraordinarily fragile basis on which to build a partnership was something that became evident to the partners only after it was much too late.

But a great deal of the problem had to do with the two men at the top of the firm, Peterson and Glucksman. The two men not only lacked the managerial skills to diffuse the tensions at Lehman Brothers but over time came to represent the two most extreme poles in the battle between the bankers and the traders. Ironies abounded, most of which Auletta deftly captures. Peterson, the ultimate establishment insider, friend of Henry Kissinger and occasional author for *The New York Review of Books*, is a self-made man, born and raised in Kearney, Nebraska, and an alumnus of Kearney State Teachers College—and forever starry-eyed about having been accepted by the establishment. Glucksman, meanwhile, who ran Lehman's trading operation while raging at what he saw as Peterson's snobbish, effete behavior, began his life far more comfortably than his rival. Peterson, who takes pride in his therapy and likes to say that he is in touch with his subconscious, was completely oblivious to his own pomposity and to the multitude of slights he inflicted on others, Glucksman included. Glucksman, who ousted Peterson in a power play and promised to bring the firm together at last, immediately rended it further apart by promoting traders and demoting bankers. Brilliant trader though he was, Glucksman's inner resentments made him incapable of running Lehman Brothers, and his great failing was his inability to see this about himself. Having taken charge of the firm, he was loath to merge or sell; yet it was his coup d'etat that probably made a sale inevitable. And then there is the great final irony that Pete Peterson, who had made something of a career warning about bloated federal pension benefits and greedy federal workers, almost brought down the Shearson-Lehman Brothers merger by refusing to scale back the frighteningly greedy golden parachute he had negotiated for himself—a package that, by my calculations, brought him around $20 million.

Greed, in fact, was evident everywhere at Lehman Brothers; it permeated the atmosphere and fouled it. Greed is what motivated the partners—probably the only thing that motivated them. If the saga of Lehman Brothers proves anything at all, it is that people have to have more at stake in an enterprise than money. Pride of product, a feeling of self-worth, a shared sense of identity, *something*. When greed is the only glue binding an organization together, sooner or later the organization's going to fall apart.

The thing to understand about investment

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bankers is that they make huge sums of money, sums that defy all logic or rationale. (And you wonder why every MBA in America wants to be an investment banker!) By contrast, lawyers and doctors look like so many Ralph Naders. Here, for instance, is Auletta detailing a few of the bonuses—not salary or valuable partner's stock, mind you, just bonuses—given out by Lehman Brothers in 1983: "Glucksman's bonus jumped from $1.25 million in 1982 to $1.5 million (and since Peterson's severance agreement guaranteed him the same bonus as his former co-CEO, that was his bonus as well); Richard Fuld, whose trading operation attained record profits, also received $1.5 million, down from $1.6 million the previous year. (Glucksman thought it would look unseemly if his protege received more than he did.) Shel Gordon went from $400,000 to $1 million (according to Bob Rubin, Gordon complained when his bonus did not match Fuld's); Bob Rubin's rose from $700,000 to $900,000; Jim Boshart's went from $300,000 to $400,000 and Henry Breck's from $250,000 to $325,000." In such a poisoned environment, the absurd, and comical, self-pity of the rich took hold. Partners squabbled for higher bonuses and felt deep and lasting wounds when someone got more than they did. Reality, and the worth of the work they did, went out the window. ("Arguments here," one partner told Auletta, "always revolved around what the other guy got, not on what you needed to live on.") So out in the open was greed at Lehman Brothers that when Glucksman made his one big try at keeping the firm whole, he did it not by invoking the great Lehman name or its long and honorable history but by devising a plan to make the partners more liquid. "He knew," Auletta writes, in a passage that neatly illustrates the heights to which self-pity had risen at Lehman Brothers, "that despite the hefty sums each received, many partners complained of being cash poor; they could not afford expensive Manhattan co-ops or second homes in the Hamptons." The heart aches for these poor, downtrodden investment bankers. But with that kind of mentality, is it any wonder that when push came to shove, the partners were going to "cash out" at the first tremor of a business downturn? There simply wasn't anyone on the premises who believed enough in Lehman Brothers to try to save it.

What is one to make of all this? My own feeling is that there's not much to lament here. Lehman Brothers pretty much got what it deserved. All the post-merger breast-beating about the loss of a "great institution" is belied by the gruesome particulars of Auletta's reporting. Truly great institutions have more at stake than whether a partner can cash out when he wants.

But Auletta can't help but see in his story a sad metaphor for the state of investment banking today. Towards the end of the book, he takes the position that most of respectable Wall Street took at the time: that the disappearance of Lehman Brothers into the maw of the giant American Express Corp. is something worth mourning, a symbol that an era has ended. "One does not have to romanticize the robber barons of the last century," Auletta writes, "to recognize the rootlessness, the frequent absence of a sense of tradition in today's high-overhead, transactional world of Wall Street." He adds, "[T]he death of Lehman signals the passing of a way of life—of a handshake as solid as a contract, of mutual respect between client and banker, of fierce but respectful competition, of a belief in something larger than self—in this case, The Firm."

Well, maybe. Myself, I get suspicious when people start talking about the good old days, and I wish Auletta had been a little more skeptical about this bit of Wall Street conventional wisdom. Without question, it is true that the pressure to "do the deal"—and hence add to the firm's bottom line—has caused most of today's investment bankers to care not a whit whether the deal they are structuring makes any sense or not. (But doesn't some of the blame for this rest with the nation's CEOs for allowing themselves to be so easily led around by the nose by their investment bankers?) And it's also true that in the new transactional environment corporate loyalties run very thin indeed, having more to do with who's offering the best deal than with long-standing ties. (Though it's hard to see why anybody but investment bankers would find this something worth bemoaning.)

But the old days had their problems, too. Wall Street was rife with snobbery and elitism—for decades, proper breeding was practically a requirement for becoming an investment banker—and, notwithstanding the fact that some of the most heralded names in investment banking are Jewish, it was rife with anti-semitism. The fees were only a smidgen less outrageous in the old days than they are today, and the deals that were put together were not necessarily better. It's worth remembering that the era of "the conglomerate"—one of the great lasting disasters of postwar American business—took place during the old days of investment banking.

What was most different about the old days—and what I think the old-line investment banker

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really misses when he longs for that bygone era—was that there wasn't any competition to speak of between firms. It was an utterly comfortable profession, requiring very little in the way of such unseemly tasks as, say, hustling business. You didn't have to worry about whether your client would fire you if you made a mistake, since he never did. And there was that great seductive feeling of being able to huddle with the CEO of one of "your" companies and make momentous corporate decisions without having to worry about such nuisances as stockholders and boards of directors. Whether the net evils of the modern age outweigh the net evils of the good old days is something I don't pretend to know. But I do know that the answer is a good deal less pat and that the subject deserves a keener analysis than it gets from Auletta.

But this is quibble. What sticks with you after you've finished with *Greed and Glory on Wall Street* is the reporting: the telling details, the well-drawn portraits, the sense of Lehman Brothers as an emotional cauldron on the verge of bubbling over. And it seems to me a very good sign for the future of business reporting that talented non-specialists like Ken Auletta are finding it a subject worthy of their considerable skills. Business writing has come a long way in the last decade, with pathbreaking books like *In Search of Excellence* and regular front-page stories in *The Wall Street Journal* that take seriously the idea that corporate cultures can spell success or failure and the tremendous expansion of business coverage in places like *The New York Times.* Not every story is laudable, of course—too often the business page can be reduced to a kind of yuppie sports page—but it does seem to me that business writing aims higher and hits the mark more often than just about any other journalism in America today. To cite one recent example, just look at Alex Jones's first-rate dissection in the *Times* of the decision to sell the *Louisville Courier-Journal.*

If *Greed and Glory on Wall Street* falls a little short in its analysis, it is nevertheless an important next step in the evolution of business reporting. Auletta has brought to this task the same seriousness of purpose and all-encompassing curiosity that marks his best work—*The Underclass* in particular. As a result, the level of reporting in *Greed and Glory* is just that much higher than in any business book I've ever read; and the intelligence at work that much keener; and the exploration of the psychology of the office that much deeper. And, as a result, there's now a new benchmark by which business books will be judged. ■

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Journalism Award

for December 1985 is presented to

Mark Feldstein
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Feldstein, a reporter for WDVM, the Washington CBS-TV station, did a remarkable series on corruption at the D.C. car inspection sites—actually showing bribes being paid. He beat *The Washington Post* and the other local media on the story.

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The award for stories published or aired in February will be announced in the May issue. Nominations will close March 15. Nominations should be accompanied by two copies of the story or stories.

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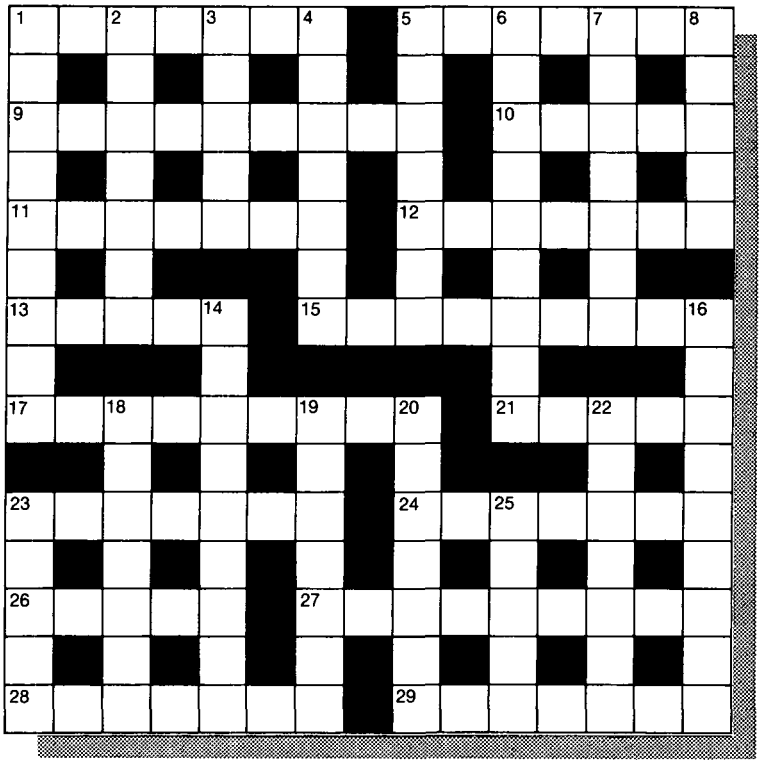
POLITICAL PUZZLE

by John Barclay

The numbers indicate the number of letters and words, e.g., (2, 3) means a two-letter word followed by a three-letter word. Groups of letters, e.g., USA, are treated as one word.



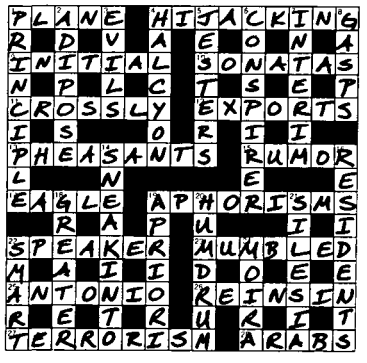
ACROSS

1. Redirect the lust to commute. (7)
5. Medium for five lichee nuts. (7)
9. Space traveler transported unto a star. (9)
10. Very large warrior insect? (5)
11. Run over elm part roughly. (7)
12. Like cur wandering to be better off. (7)
13. Cleans up outside before progress? (5)
15. We try risk management for aviator of sorts. (9)
17. Funny Paris date is quite different. (9)
21. Strip thaws oddly. (5)
23. Discovers around fifty omissions. (7)
24. Minor scourge is rulable, controlled. (7)
26. Decree cited incorrectly. (5)
27. Saves by making it reverse. (9)
28. Purpose of little female particle? (7)
29. Limit chill around part of the Bible. Right? (7)

DOWN

1. Spread around to deter cats indiscriminately. (9)
2. Dislodge and cut rank unfairly. (7)
3. Company brings up bad tea. (5)
4. Paints East above Le Mans' confusion. (7)
5. Rearranged six score essentially. (7)
6. Aces, but also intoxicated baseball players... (4, 5)
7. ...transported to a rich vehicle. (7)
8. Compound derived from trees. (5)
14. Tight apes unwound for insulation. (9)
16. Listens in genuine surroundings for practice. (9)
18. Strip is reeling from alcohol. (7)
19. Loser from Jolson's African city? (4-3)
20. Cartier on the loose was not dependable. (7)
22. Finished everywhere? (3, 4)
23. Mysteriously tames vapor. (5)
25. He makes fiber around one. (5)

Answers to last month's puzzle:



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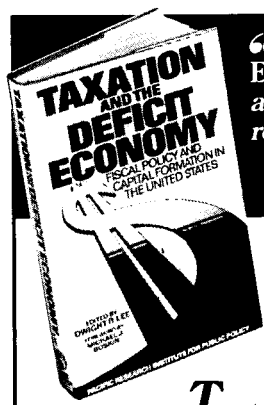
Mirror of Language: The Debate on Bilingualism. Kenji Hakuta. *Basic Books, $18.95.* Bilingual education has been denounced by so many people for so many years that it's come to be seen as little more than Hispanic America's slice of the special-interest pie. The arguments against it sound so good that they've been generally accepted at face value. Why should our hard-earned tax dollars support enclaves of instruction in Hmong and Cape Verdeian and Kreol? Why, with the example of Quebec before us, should we deliberately "maintain" people in Spanish rather than move them full-speed into English? What's so special about today's immigrants that they can't learn through the total-immersion process, like everybody else's grandparents did?

As it turns out, most of these complaints fall into the welfare-Cadillac category of policy analysis. That is, they have more to do with basic prejudices than with history or fact or observation of the way the programs actually work. Far from rushing into English, most of America's previous immigrants clung to Polish or Italian or German, leaving the linguistic shift to their children. Today's Spanish-speaking immigrants also are clinging to their language, but by all indications, their children are taking up English at least as rapidly as in the past. Even in Miami, where America's assimilative powers have been put to the sternest test, Cubans who came over in the 1950s and 1960s now complain that their children are not interested in liberating the motherland and instead are concentrating on getting their MBAs.

Bilingual schools, mainly German, were commonplace in the U.S. until their popularity plummeted during World War I. From the enormous mound of professional studies of bilingual classrooms, the worst conclusion that can be drawn is that, in some cases, bilingual programs may not move the children into English any faster than other, more conventional approaches. (The two main alternatives are "mainstreaming," familiarly known as sink or swim, and giving students an hour or two of intensive English each day while sending them to mainstream classes in math, history, and so forth.) Is this grounds for a Quebec-like wave of concern?

Kenji Hakuta's *Mirror of Language* is a powerful and enlightening political document precisely because it has no obvious axe to grind. Hakuta is a young psychologist at Yale who specializes in the linguistic aspects of bilingualism. In political speeches and barroom conversations, "biingual" has come to imply somebody from Cuba or Mexico who doesn't know English; Hakuta focuses on the real, literal meaning of the word, asking what happens when people learn to speak, use, and think in a second language.

The first two-thirds of the book is a review of the experimental and historical evidence about the bilingual mind. The discussion is aimed at the layman, but it is demanding and not to be read with a beer in hand. For years, Hakuta says, children raised in dual-language environments were thought to be confused and even retarded. There is a stage at which children cannot distinguish between the two languages they hear and use. But that passes quickly, and it now seems that the rigors of learning two styles of thought leave the children with more adaptable and creative casts of mind. The latest studies, Hakuta says, "suggest the following conclusion: take any group of bilinguals who [can speak both languages with about the same skill] and match them with a monolingual group for age, socioeconomic level, and whatever other variables you think might confound your results. Now, choose a measure of cognitive flexibility and administer it to both groups. The bilinguals will do better."



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Although most research in bilingualism involves children, Hakuta also describes the way adults learn language. His results are heartening to those of us over age 12. The general assumption that children always learn languages better is too crude, Hakuta says. Someone who starts learning another language as a child and sticks with it has a chance to attain a higher ultimate level of mastery, especially in accent. (Think of Kissinger and Brzezinski, adult learners both.) But the biological clock does not run out on language-learning by the teenage years. Indeed, because adults are more familiar with the abstract principles of language, they initially will learn languages more rapidly than children.

With warnings about linguistic separatism ever in the air, Hakuta's most surprising evidence concerns the fragility of bilingualism. The powerful, natural tendency of societies is toward a common language, he says. Bilingualism persists only in conditions of *diglossia*—that is, when different languages are used in distinctly different situations. (For example, Spanish used in the household, English in public and in school.) The seeming bilingualism of modern America—the signs and advertisements and notices in Spanish—reflects mainly the surge of new immigrants from Latin America, not the persistence of Spanish over the generations. The most remarkable trend in American linguistic history, Hakuta says, is the rapid disappearance and disuse of non-English languages.

Hakuta concludes this book with what is, to me, the first plausible case for a "maintenance" approach to bilingual education—continuing to keep children fluent in Spanish or another language, while ensuring that they are competent in English. Their progress into English is all but inevitable, he says; the benefits of real bilingual competence should not be cast off casually. It helps the students with their cognitive skills; it helps the nation deal with the world. Everyone recognizes this when it means a junior year in Paris or Milan. Why not more bilingual training for everyone, not just Bennington students?

—*James Fallows*

The Dream of Deliverance in American Politics. Mona Harrington. *Knopf, $19.95.* One of the left's great failings in the eighties has been an inability to explain convincingly why Ronald Reagan is so popular—at this point, the most popular second-term president in the history of polling. The official line is that he's "personally popular" because he's so good on television but most people disagree with his policies. Surely, though, there's more to it than that; we're not a nation of idiots.

Mona Harrington's book is a serious, careful, intellectually honest attempt at a comprehensive theory about why, now and forever, left politics have never caught on in this country. She argues that Americans have always held so dear the idea that there are no irreconcilable conflicts here (especially economic ones) that when such conflicts make themselves evident, we find a mythic scapegoat instead. The conflicts *are* resolved, but by brute strength, and in a way that's terribly injurious to the losers—all because we can't talk about them openly. The New Deal was a popular success because it identified a villain—corporate power. Reagan has a clear villain too, big government at home and communism abroad, and that's why he is so popular. The war in Vietnam is an example of the flaw in our approach: we believed that if we could only get the crooks and the com-symps out of the South Vietnamese government, our side would prevail. We over and over convince ourselves that installing some simple, fair process will exorcise the demon and return the country to its natural, conflict-free, everybody-wins condition.

What's really going on, though, Harrington says, is a series of great clashes over money and power between three groups: localists (farmers and small businessmen), majoritarians (industrial workers), and functionalists (corporate managers). Presidents Kennedy and Johnson were mainly majoritarians, Carter was a functionalist, and Reagan a localist, though every successful national politician has to draw from at least one of the other two groups. Today, because the long period of economic growth that helped paper over the struggle between the three groups is over, we may be forced to abandon the

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dream of deliverance and get down to some serious and explicit pie-slicing.

It's an intriguing theory, and it leads Harrington over all sorts of interesting ground, from the Federalist papers to populism to the formation of Carter's cabinet. And certainly the role of myth in politics, though hard to get at, is an important subject—if you don't believe me, ask your family next Thanksgiving dinner what they think the federal government spends more on, welfare or social security. The main problem is that Harrington's whole elaborate argument rests on the premise, which she presents as so obvious that it doesn't need to be argued, that only through economic planning can our problems really be solved. If you disagree, then this book will seem like a long fly ball that lands just outside the foul pole: impressive, but no score.

—*Nicholas Lemann*

Witness at the Creation: Hamilton, Madison, Jay and the Constitution. Richard B. Morris. *Holt, Rinehart and Winston, $16.95.* At the *Creation*? We are used to "The Founding Fathers," whose title echoes St. Jerome and the Fathers of the Church. And when we call Hamilton, Madison and Jay "lawgivers," the ghost of Moses appears. But not even Moses, as he delivered his stony constitution, claimed to have been there at the Creation. What is being witnessed in the title of this book is a prophetic vision of what we are about to experience in the celebration of the Constitution's two hundredth birthday, namely the Founders as collective God and their product as the organization of Eden.

Two things are wrong with that. Sanctifying the two-legged landholders who marked out the Constitution tends to diminish by comparison the politicians of today who struggle to create broader unities than they were born into. Today's challenge is analagous but enormously more complex and intractable: nothing less than institutionalizing peace with justice in a world in which the depth of political chaos matches the height of technical kill-capacity. Statesmen of today could well study these three men—but as uncles roughly like themselves, not as deified grandpas.

The second problem follows from the first: if God made the Constitution, as Morris seems to believe, then it must be holy—maybe even omnipotent. The lesson for aspiring democracies is that if you get your constitution right, the rest will work out. The Constitution "has functioned and endured longer than any other written constitution of the modern era. . . a living functioning reality touching every person's life." Now a piece of paper may endure, but how it "functions" is mysterious. What actually happened was that leading politicians of the day agreed to act within certain boundaries they specified. Since then, brilliant and blundering politicians, their efforts significantly supplemented by brilliant and blundering judges, have shaped and reshaped those boundaries, sometimes for better, sometimes for worse, but nearly always without much help from the letter of that law. That the original Constitution was born flawed is obvious. For example, the procedure for electing presidents never worked as designed, and the procedure for choosing vice presidents was ridiculous from the start.

But the larger point is that democracy is not established or sustained by some sacred gimmick, but by people. For all its glamor and glory, the Constitution did not prevent repeated violations of the right of free speech, invasion by the British, mayhem and murder on the frontier, hideous war within the federation, deep and wide corruption of government by corporate power, the wounding and scarring of generations of blacks, fantastic government irresponsiblity in managing the economy, subversion from within the White House itself, or the failure to institutionalize peace—just to touch on the lowlights. It was not the Constitu-

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tion but a series of living leaders and followers who plunged us down and dragged us up through the checkered terrain of American history.

The book's strength is stimulation rather than demonstration; it is too short to develop what it suggests. The accounts of Hamilton's sex life, Jay's "conspicuously aquiline nose," and Madison's erudition in the classics are left unlinked to their arguments in *The Federalist* and elsewhere. It is hard to tell whether certain unfootnoted passages of dialogue were written by the authors or the subjects; they sound pretty televisiony. Too often the arguments are presented in such truncated form as to suggest that their mere formulation or statement carried the day, like some epigram of King Solomon. The debate among the Framers themselves is barely dealt with. Anyone who wants the story of the argument about this or that provision of the Constitution should read another book.

Far more intriguing is Morris's peek at the bigger picture. He is amazed that *any* real national government was constructed. The "Nation" had been at war against a common enemy for years when, in 1781, the Articles of Confederation set up what amounted to not much more than a diplomatic conclave. Congress, under the Articles, was so puerile that John Hancock, elected its president in 1785, took the title but not the trouble to attend any sessions. Despots took American hostages without fear of retaliation. Well after the victory at Yorktown, John Adams wrote from London that he was "regarded by the British court as a cipher." In 1786, postwar depression hit hard. Hamilton described the years 1784 to 1789 as "almost the last stage of national humiliation." George Washington was still there as the nation's hero, but he was a strong, silent type; no Teddy Roosevelt was there to whip up nationalism. Morris's trio comes through, in his account, not as public leaders but as wheeler-dealers continually tap dancing around their own convictions as they sensed what was possible in the shuttered-up sauna of the summer convention. They were pragmatists. No prophet was on hand.

The simple answer may be the right one. Desperate debtors in Massachusetts shut down courts and burned up records. The anarchy spread. That scared the creditor class into law-and-order action in Philadelphia. Even so, it is hard to explain why the folks back home were willing to buy into this novel scheme, even with its appended Bill of Rights. Characters such as Benjamin Franklin and George Mason, Morris's account suggests, may have had a good deal to do with seeing to it that America did not wind up as a jumble of Lichtensteins and Czechoslovakias. That large story, so often obscured by the relative itsy-bitsies of the Constitution, needs a new telling for a new age.

—*James David Barber*

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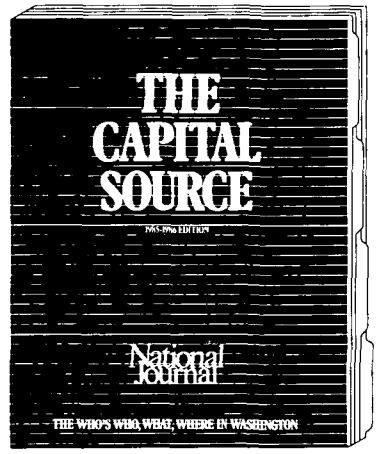

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There is a solution to all of this: the adoption of national legislation establishing uniform qualifications and standards for appraisers. This would be reinforced through periodic re-certification and continuing education requirements. Encouraging appraisal clients to understand what constitutes a proper appraisal would also go far in assuring that these standards are followed, and would assist users in evaluating the appraisers they hire.

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